

FINAL



Environmental Impact Report for the
Belden Barns Farmstead and Winery Project
State Clearinghouse No. 2015092031



OCTOBER 2016



Prepared for:
County of Sonoma
Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, California 95403

Prepared by:
Dudek
465 Magnolia Avenue
Larkspur, California 94939

**Belden Barns Farmstead and Winery
Final Environmental Impact Report**

Prepared for:

County of Sonoma

Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, California 95403

*Contact: Sandi Potter, Environmental Review and
Comprehensive Planning Manager*

Prepared by:

DUDEK

980 9th Street, Suite 1750
Sacramento, California 95814

Contact: Christine Kronenberg, AICP

OCTOBER 2016

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CHAPTER 1 INTRODUCTION

1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains the public and agency comments received during the public review period for the Belden Barns Farmstead and Winery Draft EIR, and responses to each of those comments.

The EIR is an informational document intended to disclose to the County of Sonoma (County) and the public the environmental consequences of approving and implementing the Belden Barns Farmstead and Winery Project (proposed project) or one of the alternatives to the project described in the Draft EIR. All written comments received during the public review period (June 17, 2016, through August 1, 2016) and oral comments received at the hearing on the Draft EIR held July 19, 2016, are addressed in this Final EIR.

The responses in the Final EIR clarify, correct, and/or amplify text in the Draft EIR, as appropriate. Also included are text changes made at the initiative of the Lead Agency (County of Sonoma). These changes (summarized in Chapter 2) do not alter the conclusions of the Draft EIR. This document has been prepared in accordance with the California Environmental Quality Act (CEQA; California Public Resources Code (PRC), Sections 21000–21177).

1.2 BACKGROUND

In accordance with CEQA, the County released a Notice of Preparation (NOP) on September 9, 2015. The purpose of the NOP was to provide notification that an EIR for the project was being prepared and to solicit guidance on the scope and content of the document. The Draft EIR was circulated for public review and comment for a period of 45 days from June 17, 2016 through August 1, 2016.

The comments and responses that make up the Final EIR, in combination with the Draft EIR, as amended by the text changes, constitute the EIR that will be considered for certification by the decision makers of the County of Sonoma.

1.3 CEQA REQUIREMENTS

Under CEQA, the Lead Agency must prepare and certify a Final Environmental Impact Report (Final EIR) prior to approving a proposed project. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, which states that the Final EIR shall consist of:

- a. The Draft EIR or a revision of the Draft.
- b. Comments and recommendations received on the Draft EIR either verbatim or in summary.

- c. A list of persons, organizations, and public agencies commenting on the Draft EIR.
- d. The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- e. Any other information added by the Lead Agency.

The Lead Agency must provide each agency that commented on the Draft EIR with a copy of the Lead Agency's response to such comments a minimum of 10-days before certifying the Final EIR.

1.4 USE OF THE FINAL EIR

The Final EIR allows the public and the County an opportunity to review revisions to the Draft EIR and the Responses to Comments. The Final EIR serves as the environmental document to inform the Board of Supervisors' consideration of the proposed project, either in whole or in part, or one of the alternatives to the project discussed in the Draft EIR.

As required by Section 15090 (a) (1)-(3) of the CEQA Guidelines, a Lead Agency, in certifying a Final EIR, must make the following three determinations:

1. The Final EIR has been completed in compliance with CEQA.
2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
3. The Final EIR reflects the Lead Agency's independent judgment and analysis.

As required by Section 15091 of the CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings (Findings of Fact) for each of those significant effects, accompanied by a brief explanation of the rationale for each finding supported by substantial evidence in the record. The possible findings are:

1. Changes or alterations have been required in, or incorporated into the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, pursuant to Section 15093(b) of the CEQA Guidelines, when a Lead Agency approves a project that would result in significant unavoidable impacts that are disclosed in the Final EIR, the agency must state in writing the reasons supporting the action. The Statement of Overriding Considerations shall be supported by substantial evidence in the Lead Agency's administrative record. Here, however, because the proposed project would not result in significant and unavoidable impacts (assuming the Board of Supervisors finds all proposed mitigation measures to be feasible), the Board of Supervisors would not be required to adopt a Statement of Overriding Considerations if it approves the proposed project (See also Public Resources Code Section 21081).

The Findings of Fact are included in a separate document that will be considered for adoption by the County's decision makers at the time of project approval.

1.5 SUMMARY OF TEXT CHANGES

Chapter 2 in this Final EIR, Text Changes to the Draft EIR, identifies all changes made to the document by section. These text changes provide additional clarity in response to comments received on the Draft EIR as well as provide revisions to the project made by the project applicant, but do not change the significance of the conclusions presented in the Draft EIR.

1.6 RESPONSES TO COMMENTS

A list of public agencies and individuals commenting on the Draft EIR is provided in Chapter 3 in this Final EIR. A total of 19 comment letters were received and each letter and response is included in Chapter 3. Each comment letter is identified with a letter and each response is identified with the comment letter and number and presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter of the comment letter appearing first, followed by the comment number. For example, comments in Letter A are numbered A-1, A-2, A-3, and so on. Immediately following the letters are the responses, each with binomials that correspond to the bracketed comments. As the subject matter of one topic may overlap between letters, the reader must occasionally refer to one or more responses to review all the information on a given subject. To assist the reader, cross-references to other comments are provided. In addition, master responses have been prepared for the same issue or concern that was raised in multiple comments. The master responses precede the comment letters and, where applicable, the reader is referred back to the master response to address the issue raised in the comment.

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CHAPTER 2 CHANGES TO THE DRAFT EIR

2.1 INTRODUCTION

This chapter presents minor corrections, additions, and revisions made to the Draft EIR initiated by the Lead Agency (Sonoma County), reviewing agencies, the public, and/or consultants based on their review. New text is indicated in underline and text to be deleted is reflected by ~~strikethrough~~, unless otherwise noted in the introduction preceding the text change. Text changes are presented in the section and page order in which they appear in the Draft EIR.

The changes made to the Draft EIR represent minor clarifications/amplifications of the analysis contained in the Draft EIR based on on-going review by County staff and/or consultant or applicant review and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

Attached to this chapter are new or revised figures and additional material to supplement the Draft EIR and appendices.

Staff or Applicant Initiated Text Changes

The Mitigated Negative Declaration (MND) prepared for the project originally proposed in 2013 (included as Appendix B in the Draft EIR) includes two technical studies that were prepared in 2013: Traffic Report, prepared by W-Trans, August 19, 2013; and a Geotechnical Groundwater Report, prepared by E.H. Boudreau, August 2013. Both of these reports have been superseded by updated reports prepared as part of the Draft EIR and included in Appendix F and Appendix H.

The following documents are included as appendices and can be found at the end of this chapter and augment information referenced in Chapter 3 of this FEIR.

- Appendix A-1

In addition, Figure 3.8-1 has been revised to more clearly identify the location of the measurement locations and is included at the end of this chapter.

Chapter 2, Project Description

Since publication of the Draft EIR, the project applicant has made minor changes to the project in response to County staff requests as well as input provided by the public. A summary of the changes made to the project are listed below.

All references in the Draft EIR to “Steve Martin and Associates 2014” will be modified as follows:

~~Steve Martin and Associates 2014 Appendix A-1.~~

Project objective no. 6 listed on page 2-1 is revised to clarify that the objective is for products produced on site. The objective is revised as follows:

6. Provide opportunities for small-scale sustainable farmers and food artisans to ~~operate on-site~~ develop demand for ~~their~~ products produced on the site.

The fourth sentence in the last paragraph is revised as follows:

The proposed tasting room would be open to the public from ~~hours would be~~ 11:00 a.m. to 5:00 p.m., seven days per week. Wine tasting would be by-appointment only between the hours of 11 a.m. to 5 p.m. daily. The tasting room would be the primary hospitality space for all products produced on site.

The fourth sentence under **Agricultural Promotional Events** at the top of page 2-5 is revised as follows:

There would be no outdoor amplified ~~music~~ sound at any event.

Section 3.5, Geology and Soils

The sentence in the last paragraph on page 3.5-3 is revised as follows:

According to Appendix ~~FE~~, the closest active fault to the proposed project is the Rodgers Creek fault, the closest strand of which is located approximately 1.95 miles southwest of the project's southwestern corner site.

The following sentence shall be added to the last paragraph on page 3.5-4:

Portions of the project site outside the limits of existing landslides (discussed below) have a relative slope stability rating of “B”, which indicates locally level areas within hilly terrain that may be bounded by unstable or potentially unstable rock materials (Steve Martin Associates, Inc. 2014 Appendix A-1, Plate 2). The surrounding area, where no landslides were mapped, have a relative slope stability rating of “C”, which indicates areas of relatively unstable rock and soil units, on slopes greater than 15%, containing abundant landslides.

The following revisions to the second paragraph under Impact GEO-1 on page 3.5-12 are as follows:

The methods and analyses contained in Appendix E are adequate and appropriate for a preliminary level evaluation of the presence and extent of the existing landslide materials on the project site. Given the high ground shaking potential, the presence of relatively weak geologic materials, and the sloped topography on portions of the site and the surrounding region (particularly to the south), a strong earthquake could reactivate the existing landslide masses or generate new landslides in the region. Under CEQA, the mere presence of geologic or seismic risks such as landslides is not a CEQA impact. The Supreme Court has held that “CEQA does not generally require an agency to analyze how existing hazards or conditions might impact a project's users or residents.” As such, the information provided is informational only. Appendix E establishes that the proposed project is sited outside the highest risk area, and that foundation location and design would not cut into or further steepen existing landslide materials (and would not contribute to destabilization of the old landslide). Furthermore, the project's increase in occupancy is limited to daytime and seasonal workers and visitors, and there is no increase in overnight occupancy proposed.

The methods and analyses contained in Appendix E are adequate and appropriate for a preliminary level evaluation. As discussed above, a detailed design-level geotechnical investigation of the project site as required in compliance with the CBC would further refine grading, site-preparation, and foundation design recommendations prior to issuance of the site grading and building permits. ~~This would ensure potential impacts related to slope instabilities would be addressed, and~~ Given the proposed project is located a sufficient distance away from mapped landslides, the recommendations of a design level geotechnical report would be implemented, and the increase in occupancy would consist of transient visitation, the impact is adequately addressed.

The following change is made to the last bullet on page 3.7-32:

The project well was drawn down 6.7 feet during the 24-hour pump test (at the well pump's maximum capacity of 23 GPM) and recovered to 100% of its original level within 5 minutes of ending the test.

Section 3.7, Hydrology and Water Quality

The last paragraph on page 3.7-7 is amended as follows:

[...] As part of the study, an inventory of local wells was developed based on review of well completion reports submitted to DWR, County well records, and a field visit to the project site and surrounding properties, which are shown in Table 3.7-3 and Figure 3.7-2 (Well A-1, located in the developed portion of the site, is the proposed project well). All

property owners within a 1,000-foot radius of the project well or within 300 feet of the parcel boundary were contacted to request access to their wells. Of the property owners contacted, one denied access and one did not respond. A total of seven wells were surveyed on the five off-site properties for which access was granted. [...]

The last bullet on page 3.7-32 is amended as follows:

The project well was drawn down 6.7 feet during the 24-hour pump test (at the well pump's maximum capacity of 23 GPM) and recovered to 100% of its original level within 5 minutes of ending the test.

The fifth bullet point under Impact HYD-2 on page 3.7-33 is amended as follows:

- **Recharge substantially exceeds groundwater extraction, based on the water balance analysis.** Precipitation, evapotranspiration, runoff, groundwater extraction, and recharge within the watershed was simulated over a 30 year period, assuming buildout of General Plan land uses. The historical period of record for precipitation used was from the Santa Rosa gauging station between January 1983 and December 2012, with an upward adjustment of 40% to account for orographic enhancement. Over that time frame, withdrawals from the aquifer never caused total groundwater in storage to decrease of to less than 99.8% of the aquifer's storage capacity.

The fourth paragraph on page 3.7-33 is amended as follows:

Prior to occupancy, the water well serving this project shall be fitted with groundwater level sounding tube and port, or electronic groundwater level measuring device. Readings from the meter shall be taken monthly by the applicant. The existing water meter on the well shall be calibrated, and copies of receipts and correction factors shall be submitted to PRMD Project Review staff at least once every 5 years.

The second paragraph on page 3.7-34 is amended as follows:

In the event that water use exceeds 3.54 acre-feet per year by more than 10 percent, PRMD may bring this matter back to the Board of Zoning Adjustments for review of additional measures to reduce water use.

The first paragraph on page 3.7-27 is amended as follows:

[...] Wastewater to be generated by the project is classified as sanitary wastewater (i.e., necessary to serve the restrooms, laboratory facilities, and the tasting room) and

process wastewater (i.e., collected by floor and trench drains in the course of tank, barrel, and equipment rinsing and cleaning activities).

The project's sanitary wastewater would consist of domestic sewage effluent, also known as "sanitary sewage". Sanitary sewage effluent is comprised of many constituents, including pathogens such as fecal coliform. The sanitary system would consist of a 2,000 gallon septic tank attached to the production lab, winery restroom and agricultural employee housing unit; and another 2,000 gallon septic tank attached to the tasting room and main residence. The sanitary wastewater settling tanks are designed for detention times of 3.5 days, 3.3 days and 2.7 days for an average day flow, harvest day flow, and peak harvest day flow, respectively. An effluent filter would be installed on the outlet of the septic tanks.

Process wastewater would be generated from typical winery processing activities including crushing, fermentation, barrel storage and bottling, with tank, barrel, equipment and floor cleaning. Cheese would be processed from goat, sheep, and cow milk produced by the animals on site as well as additional milk produced at a local dairy. Cheese processing activities would include milk intake, standardization, coagulation, cutting, heating, pressing, and curing with tank, equipment, and floor cleaning. Solids would be recovered through floor drain screens and rotary screens and disposed of on-site. The pomace would be disced into the 20 acres of vineyard as a soil amendment and the solid whey would be used to supplement the feed for the livestock on the property. The process wastewater would be collected in a 9,000 gallon septic/settling tank. The process water settling tank has been designed for a minimum detention time of approximately 5.2 days for the peak day.

The effluent quality of process wastewater from the cheese making and wine making are similar in characteristic, and as a result, the treatment and disposal of both process waste streams would be treated in the same system (Appendix A-1). Both sanitary wastewater and process wastewater would be collected in a combined sump tank prior to being directed to an existing filled land system, to be upgraded with the addition of an NSF 40 approved pre-treatment filter, and minor modifications / expansion.

The on-site wastewater treatment and disposal facilities have been sized to accommodate conservative estimates of peak generation rates, including the required expansion/reserve areas. The anticipated wastewater generation volume and flows are summarized as follows (~~Steve Martin and Associates 2014~~Appendix A-1):

- **Sanitary Wastewater:** The average sanitary wastewater generation rate is expected to be approximately 155 gpd on weekdays and 210 gpd on weekends,

with a peak rate of 355 gpd occurring in the worst-case scenario of a weekend event overlapping with a peak harvest day.

- **Process Wastewater:** The annual volume of process wastewater generated by the project is estimated to be 120,000 gallons for wine processing, and 18,750 gallons for cheese production, for a total of 138,750 gallons. The average process wastewater generation rate is expected to be approximately 380 gpd, with a peak week harvest generation rate of 1,730 gpd with the conservative assumption that peak cheese and wine processing periods occur concurrently.

As indicated in Appendix A-1, the project would require 2,291 linear feet of primary leach lines and 1,374 linear feet of reserve leach lines, for a total of 3,665 linear feet. There are currently 4,214 linear feet of filled land leach field either installed or designated on-site. Therefore, there is more than adequate room for the proposed new use. Both the sanitary wastewater and process wastewater each require a reserve system in the event the primary filled land system is abandoned. If evidence is observed of primary wastewater system failure (e.g., slow leaching, pooling water, root interference, biomats, or other conditions), and if the issue cannot be rectified through repairs and maintenance, the reserve system would be utilized as a fail-safe mechanism. The sanitary wastewater has additional filled land designated as its reserve system, and the process wastewater has a reclaimed wastewater and drip irrigation system designated as its reserve system.

The State of California and the County of Sonoma allow the treatment and disposal of sanitary wastewater in a conventional filled land subsurface leach field system as is proposed for the Belden Barns Winery and Farmstead project. Soil percolation testing was completed for a previous development proposal on the property, which found the soil percolation rate to be 2 inches/hour. The existing filled land trenches are 24 inches wide and 36 inches deep (after 12-inches of fill material was placed), so they are 24-inches into native grade. There are 12-inches of rock under the pipe. After a combination of anaerobic and aerobic treatment in the leach lines and adjacent trench soil, the treated wastewater percolates through the soil for final polishing. Ultimately, the treated effluent migrates into the groundwater minus the volume consumed via evapo-transpiration. ~~Process wastewater would be pretreated through filters and settling/septic tanks and then disposed of in a filled land standard leachfield system. Additional information on the design septic system design is provided in Chapter 2, Project Description.~~

The filled land system would be the project's method of wastewater disposal; however there would also be a ~~The~~ reserve system, which would be used in the event the primary

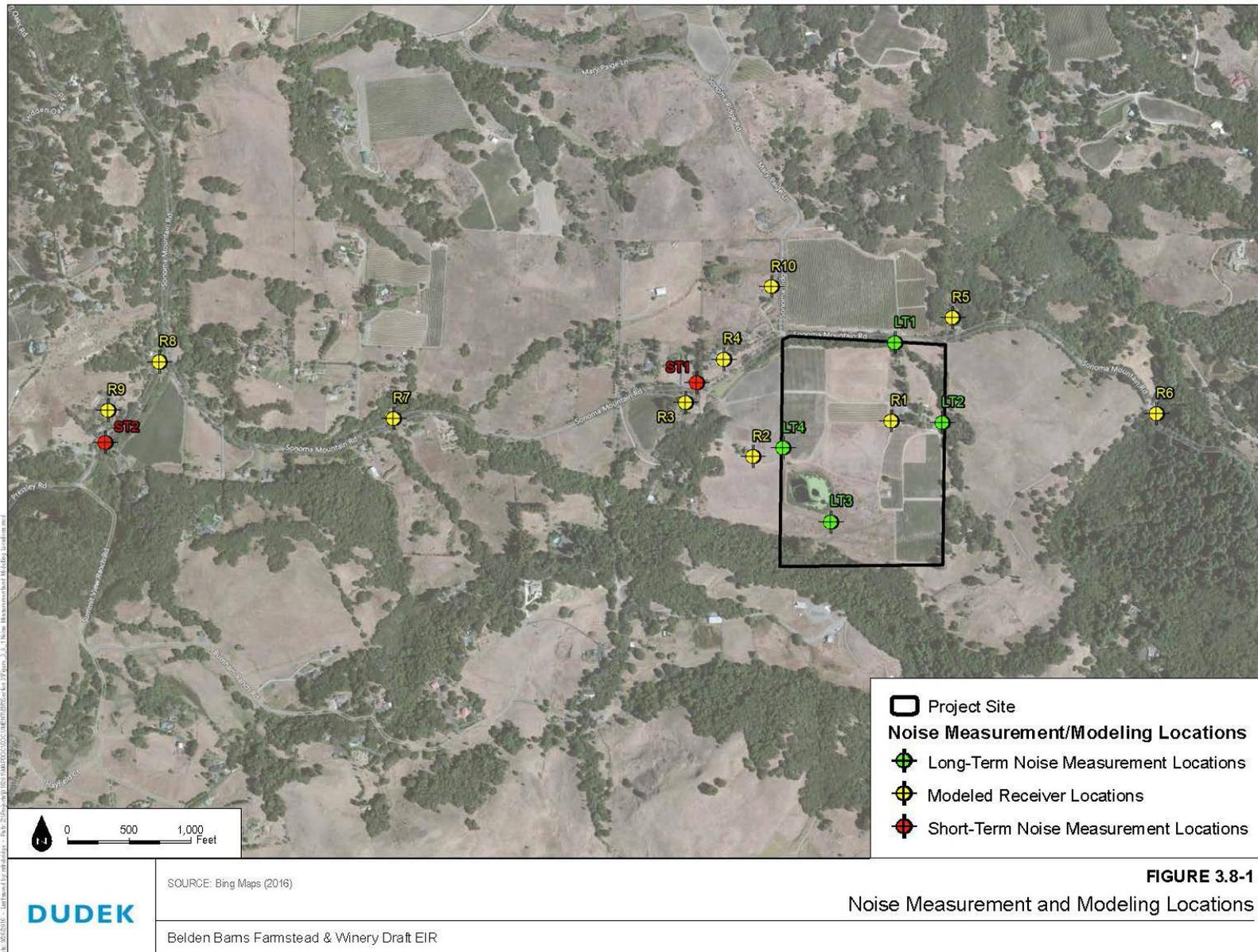
system is abandoned (as described above). For process wastewater, it would be consist of an AdvanTex treatment system with drip irrigation of reclaimed wastewater on designated blocks of the vineyard. The reserve process wastewater disposal system would include initial treatment by aeration in the septic tanks and then by a commercial grade AdvanTex AX-100 textile pods manufactured by Orenco Systems, Inc. This unit provides both aeration and textile filtration that supports attached growth biological treatment. The AdvanTex AX-100 is rated for winery process wastewater and will produce effluent that is treated to the levels (BOD, TSS, DO, etc.) that the State of California requires for drip irrigation. During periods of rain or when saturated soil conditions exist, the irrigation system cannot operate. A proposed new 35,000 gallon storage tank would provide 20 days of storage for the peak day harvest day flow.

Section 3.8, Noise

The following text will be added to page 3.8-15 in the 2nd paragraph under Impact NOI-1:

Consistent with the Traffic Impact Analysis (Appendix H of this EIR), information used in the model included the Existing (i.e., baseline conditions), Existing plus Project, Cumulative, and Cumulative plus Project traffic volumes and speeds. The existing traffic scenario addresses trip volumes on the area roadway network at the present time; the Existing plus Project adds the trips generated by the project to the current area roadway network volumes. The cumulative traffic scenario addresses the roadway trip volumes on the roadway network from all development occurring in the project region, in the target year of 2040, without any contribution from the project; the Cumulative plus Project scenario adds the trips generated by the project to these cumulative volumes. Two scenarios were modeled: Scenario 1: Harvest Season, and Scenario 2: Agricultural Promotional Events.

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APPENDIX A-1

SMA Steve Martin Associates, Inc.

130 South Main Street, Suite 201
Sebastopol, CA 95472
707-824-9730
707-824-9707 (fax)

606 Alamo Pintada Road #3-221
Solvang, CA 93463
805-541-9730

November 21, 2013
Updated October 7, 2014

Sonoma County
Permit Resource Management Department:
Planning
2550 Ventura Ave.
Santa Rosa, CA 95403

Attention: Project Planner

Re: Belden Barns Winery & Farmstead
5561 Sonoma Mountain Road
Santa Rosa, CA
APN 049-030-010
Land Use Permit
Wastewater Feasibility Study
SMA Project No. 2011014

To Whom It May Concern:

The purpose of this letter is to supplement the Belden Barns Use Permit Application which is requesting a new winery and creamery with an ultimate production of 10,000 cases of wine and 10,000 pounds of cheese annually. Tastings and tours will be by appointment with retail sales direct to customers. Ten agricultural promotional events are also planned annually to introduce potential and current customers to the wines and farmstead products including wine pick-up events, chef dinners, one wedding, and other agricultural promotional gatherings. Steve Martin Associates, Inc. (SMA) has prepared this Wastewater Feasibility Study for the purpose of assessing the onsite sanitary and process wastewater system treatment and disposal capacity necessary for the proposed use.

The sanitary wastewater (SW) will consist of wastewater from the laboratory, tasting room, and restroom facilities. The process wastewater (PW) will consist of winery wastewater generated from producing 10,000 cases of wine and 10,000 lbs of cheese. The proposed combined PW and SW wastewater management system will consist of a filled land system with a designated 200% expansion/reserve area for the winery SW flows. The reserve PW wastewater disposal system will include a rotary screen for solids filtration, septic/settling tanks, aeration, a separate commercial grade aerated textile pre-treatment unit, an above ground storage tank and ultimate disposal via drip irrigation of the existing vineyard on site.

The proposed new wastewater management systems described above and herein will be adequate to treat and dispose of the projected SW and PW flows generated from the new winery and creamery facility. To assist you in the evaluation of the above conclusions, the following information is enclosed:

Attachment I: Wastewater System Flow Diagram

Attachment II: Wastewater System Design Criteria, Evaluation, & Calculations

The attached information regarding the proposed improvements should be sufficient for review at the Use Permit level. If you have any questions or require further information, please feel free to contact me at (707) 824-9730.

Sincerely,



A handwritten signature in blue ink that reads "Tamara Martin". The signature is written in a cursive style and is positioned above a horizontal line.

Tamara Martin, R.E.H.S.

Expires 12-31-14

cc: Nate Belden

Attachments

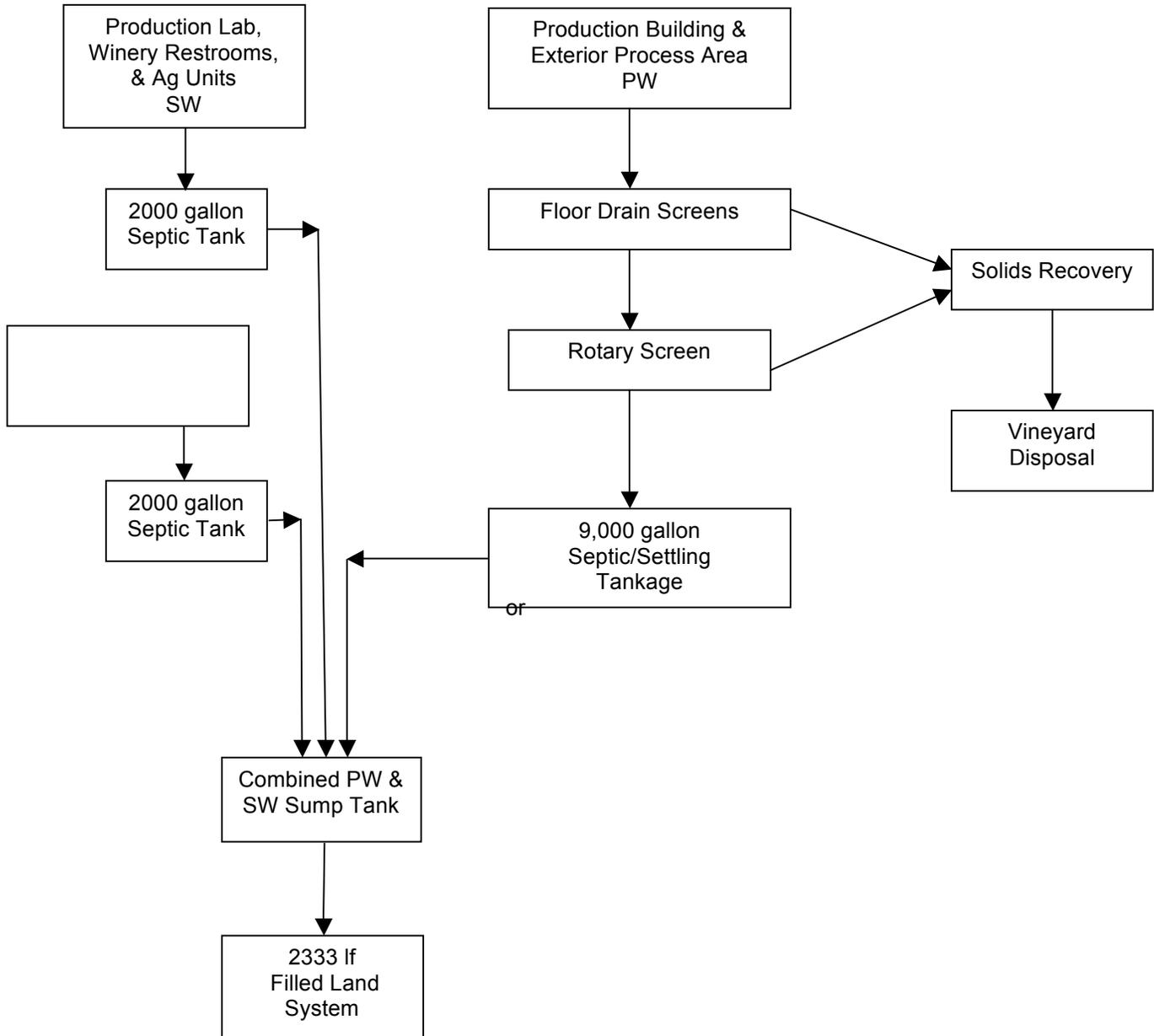
ATTACHMENT I

**SANITARY & PROCESS WASTEWATER
MANAGEMENT SYSTEM
FLOW DIAGRAM**

**SANITARY & PROCESS WASTEWATER
MANAGEMENT SYSTEM
FLOW DIAGRAM**

Sanitary Wastewater

Primary Process Wastewater



ATTACHMENT II

**SANITARY & PROCESS WASTEWATER
MANAGEMENT SYSTEM
DESIGN CRITERIA, EVALUATION,
AND CALCULATIONS**

BELDEN BARNs
5561 Sonoma Mountain Road
Santa Rosa, California
APN 049-030-010

**WASTEWATER MANAGEMENT SYSTEM
DESIGN CRITERIA & EVALUATION**

SANITARY WASTEWATER

Sanitary wastewater (SW) at the proposed winery and creamery will consist of typical wastewater generated from restrooms, laboratory facilities, and the tasting room. Anticipated SW flows are projected as follows:

ULTIMATE PHASE 2 WINERY SW FLOWS

AVERAGE WEEKDAY:

5 full-time employees x 15 gpd	=	75
4 part-time employee x 7.5 gpd	=	30
20 tasting visitors x 2.5 gpd	=	<u>50</u>
Total	=	155 gpd

AVERAGE WEEKEND DAY:

4 full-time employees x 15 gpd	=	60
60 tasting room visitors x 2.5 gpcd	=	<u>150</u>
Total	=	210 gpd

AVERAGE WEEKEND DAY W/ EVENT:

6 full-time employees x 15 gpd	=	90
0 tasting room visitors x 2.5 gpcd	=	0
25% of 200 event guests x 5 gpcd	=	<u>250</u>
Total	=	340 gpd

HARVEST PEAK DAY:

7 full-time employees x 15 gpd	=	105
60 tasting visitors x 2.5 gpd	=	<u>150</u>
Total	=	255 gpd

HARVEST WEEKEND DAY W/ EVENT:

7 full-time employees x 15 gpd	=	105
0 tasting room visitors x 2.5 gpcd	=	0
25% of 200 event guests x 5 gpcd	=	<u>250</u>
Total	=	355 gpd

Design SW flow = 355 gpd SW

SW SEPTIC TANK

The tasting room and the production will be located in two different buildings, and as such the septic tanks will be sized separately. The production (employees) SW will be collected with two Ag Employee Units, totaling 3 bedrooms. The tasting room will be located in the downstairs portion of the main residence. Since events may occur at either location, the sizing for both locations will be the same.

The required total septic tank size for the projected SW flows based on the Manual of Septic Tank Practice is as follows:

$$\begin{aligned} V &= 1125 + 0.75 \times Q \\ &= 1125 + 0.75 \times ((355 \text{ gpd winery}) + (360 \text{ gpd residential})) \\ &= 1661.25 \text{ gallons} \end{aligned}$$

To allow for additional settling of solids, we recommend installing a 2000-gallon SW septic tank at both the tasting room/residence building and the winery/ag unit building. Based on a total of 2000 gallons of septic tankage, the resulting detention time for an average day flow, harvest day flow, and peak harvest day with event flow would be 3.5 days, 3.3 days and 2.7 days respectively. An effluent filter will be installed on the outlet of the septic tanks.

PROCESS WASTEWATER

Process wastewater (PW) will be generated from typical winery processing activities including crushing, fermentation, barrel storage and bottling with tank, barrel, equipment and floor cleaning. Additionally, cheese will be processed from goat, sheep, and cow milk produced by the animals on site as well as additional milk produced at a local dairy. There is currently proposed to be approximately 150 tons of grapes crushed, produced and bottled onsite (corresponding to a maximum of 10,000 cases of wine and 10,000 pounds of cheese produced on site. As with most new facilities, production will start out small and grow to ultimate capacity over time. The primary method of PW disposal will be a filled land system as outlined above and below. The reserve area will consist of a biological treatment unit with drip irrigation of the 20 acres of vines on site.

The wastewater from floor and trench drains within the winery, creamery, and exterior tank and receiving areas will flow by gravity to a rotary screen (or be pumped over), then flow by gravity to the septic/settling tanks. The primary method of disposal for the PW will be in a combined filled land system. The PW reserve area will include a submersible aerator placed in one of the downstream tanks to pre-treat the PW. After screening and primary treatment in the septic/settling tanks, the PW will be further treated by a commercial grade aerated textile filter before being dispersed via drip irrigation of the vineyard.

The biochemical oxygen demand (BOD) levels of wastewater generated by a cheese making facility (with the exception of whey) are around 2,000 mg/l, which is less than that of a winery (5,000-10,000 mg/l). As a result, the proposed treatment and disposal of the process wastewater for both facilities will be the same.

Solid waste from both facilities (pomace and whey) will be disposed of onsite. The pomace will be disced into the 20 acres of vineyard as a soil amendment and the solid whey will be utilized to supplement the feed for the livestock on the property.

Based on historical and typical flow data from wineries and creameries of similar size and characteristics, the corresponding PW generation rates and calculated projected PW flows are as follows:

PW FLOWS

WINE:

10,000 cases crushed onsite:

Gallons of wine produced onsite = 2.4 gallons/case x 10,000 cases = 24,000 gal

Generation rate = 5.0 gal PW/gal wine

Annual Volume = 24,000 gal wine x 5.0 gal PW/gal wine = 120,000 gal PW

AVERAGE DAY FLOW:

120,000 gal PW ÷ 365 days = 329 gpd PW

AVERAGE DAY HARVEST FLOW:

Generation rate = 1.5 gal PW/gal wine

$\frac{24,000 \text{ gallons wine} \times 1.5 \text{ gal PW/gal wine}}{60 \text{ days}}$ = 600 gpd PW

PEAK WEEK HARVEST DAY FLOW:

Generation rate = 0.75 gal PW/gal wine

Peak week tonnage = 80 tons

Peak day tonnage = 80/6 = 13 tons

13 tons grapes crushed/day x 165 gal wine/ton grapes
crushed x 0.75 gal PW/gal wine = 1610 gpd PW

Maximum Wine PW flow = = **1610 gpd PW**

CHEESE:

10,000 pounds of cheese produced onsite:

Gallons of milk processed onsite = $\frac{10,000 \text{ lbs} \times 10 \text{ lbs milk/ lb cheese}}{8 \text{ lbs/gal}}$ = 12,500 gal milk

Generation rate = 1.5 gal PW/gal milk processed

Annual Volume = 12,500 gal milk x 1.5 gal PW/gal milk = 18,750 gal PW

AVERAGE DAY FLOW:

18,750 gal PW ÷ 365 days = 51 gpd PW

PEAK CHEESE PROCESSING DAY FLOW:

Generation rate = 2 x average day flow

$$51 \text{ gpd} \times 2 = 102 \text{ gpd} = \underline{102 \text{ gpd PW}}$$

$$\text{Maximum Cheese Processing PW flow} = \underline{102 \text{ gpd PW}}$$

$$\text{Total Maximum PW flows} = 1610 \text{ gpd} + 120 \text{ gpd} = \underline{1730 \text{ gpd PW}}$$

PW SEPTIC TANK

Based on past analysis and testing of anaerobic treatment at numerous wineries and several creameries, the appropriate detention time for sufficient anaerobic treatment is 5 days.

$$\begin{aligned} \text{Volume} &= 5 \text{ days detention} \times \text{Peak Day Flow} \\ &= 5 \times 1730 \text{ gpd} \\ &= 8,650 \text{ gallons} \end{aligned}$$

A 9,000 gallon septic tank shall be provided with a resulting minimum detention time of approximately 5.2 days for the peak day.

COMBINED LEACHFIELD BACKGROUND DATA

Percolation testing was performed on November 21, 2001, by Adobe Associates, Inc. in two locations. Testing was conducted at a depth of 24" for a filled land system. The results indicated a percolation rate of 30 minutes per inch. Two filled land septic system designs were later submitted to PRMD for review and approval.

An eight-bedroom (960 gpd with low-flow) dual field filled land system (SEP05-0977) was installed, finalized, and later vested as VES09-0047. A 4+ (540 gpd with low-flow) bedroom dual field filled land system was also submitted for vesting as VES09-0048. There is currently 1,179 linear feet of filled land leach line installed under SEP05-0977 with an additional 3,035 linear feet (for a total of 4,214 lf) designated as either reserve area for SEP05-0977 or shown on the previously vested plans (VES09-0048) for additional bedrooms.

The vesting of both systems has since expired, and the filled land requirements have changed since then. However, with the addition of an NSF 40 approved pre-treatment filter, and minor modifications / expansion, the existing filled land system(s) should be able to be upgraded to code compliant, and be re-utilized for the existing residential and new winery wastewater use.

COMBINED LEACHFIELD SIZING

The existing filled land trenches are 24" wide and 36" deep (after 12" of fill material was placed), so they are 24" into native grade. There is 12" of rock under the pipe. At 30 minutes per inch, with 12" of rock under the pipe, and 8' on center spacing, the sizing would be 125 linear feet per bedroom which is equivalent to 125 linear feet per 150 gallons of flow. However, with dual fields or a dosed Leachfield using a pump and equal distribution to the lines, a 20% reduction is allowed, and the corresponding low flow sizing would be 100 linear feet per bedroom or 100 linear feet per 150 gallons of flow. We propose to modify the existing system to be dosed with equal distribution.

At ultimate build-out of the winery, there will be a total of 9 bedrooms on the property.

SW RESIDENTIAL SIZING:

The primary and 100% reserve area leachfield sizing associated with the residential use would be as follows:

9 bedrooms x 100 lf / bedroom = 900 linear feet primary

100% reserve area = 900 linear feet reserve area

SW WINERY SIZING:

The primary and 200% reserve area Phase II sizing of the winery SW flows would be as follows:

355 gpd x 100 lf / 150 gallons = 237 linear feet primary

200% reserve area = 237 lf x 2 = 474 linear feet reserve

PW WINERY SIZING:

The primary sizing of the winery PW flows would be as follows:

1730 gpd x 100 lf / 150 gallons = 1154 linear feet primary

PW reserve area to be irrigation of vineyard with reclaimed PW wastewater as described below

TOTAL COMBINED FILLED LAND LEACHFIELD SIZING:

The total amount of primary residential and winery SW & PW Leachfield required would be:

900 lf (residential) + 237 lf (winery SW) + 1154 lf (winery PW) = **2,291 lf primary required**

The total amount of reserve Leachfield required would be:

900 lf (100% residential) + 474 lf (200% winery SW) = **1,374 lf reserve SW required**

As stated above, there is currently 4,214 linear feet of filled land leach field either installed or designated. With only 2,291 lf primary leach lines and 1,374 lf reserve leach lines (3,665 lf total), there is more than adequate room for the proposed new use.

PW RESERVE AREA TREATMENT & DISPOSAL

The proposal for the PW reserve area will include initial treatment by aeration in the septic tanks and then by a commercial grade AdvanTex AX-100 textile pods manufactured by Orenco Systems, Inc. The AdvanTex treatment system is a packed bed textile filter that supports attached growth biological treatment. In addition, the system includes pumps, filtered pump vault, and valves. A control panel with remote telemetry capabilities will assist in the monitoring of the system.

The treated PW effluent will be pumped to a storage tank where a small aerator or ozonator will be placed to keep the treated effluent polished and prevent potential septic conditions during long periods of storage. During periods of rain and/or when saturated soil conditions exist, the irrigation system cannot operate. A proposed new 35,000 gallon storage tank will provide 20 days of storage for the peak day harvest day flow. During dry conditions, the PW will be pumped from the storage tank, filtered and discharged via vineyard irrigation with above ground drip lines.

Historical rainfall records (10 year and 100 year) indicate that there are, on average, 10 days per month during the winter months that fall within 48 hours before and after a storm (irrigation requirements of the RWQCB). That means that even during the winter months, there are historically 20 days per month when reclaimed wastewater can be discharged to land. The historical rainfall records also support the worst case

scenario for a winter month in that the PW would need to be stored for 20 days (or 2/3 of the month). Therefore, a 35,000-gallon storage tank is more than adequate to store the PW as needed during the winter months.

The final reuse of the treated PW effluent (reclaimed wastewater) would be accomplished by drip irrigation of the 20 acres of vineyard on site. The amount of planted vineyard will be more than adequate for disposal and reuse of the treated PW. Backflow prevention devices will be installed on the irrigation equipment to prevent cross contamination of any potable water sources. The irrigation demand of the natural vegetation and the percolation of the on-site soils exceed the estimated annual process wastewater volume for proposed wine and cheese production. The irrigation demand is lowest during the rainy season. Additionally, winemaking activities (the largest flow generator) requires less water during the rainy, non-harvest, season.

CHAPTER 3 COMMENTS AND RESPONSES

This chapter contains the comment letters received in response to the Draft EIR during the public review period (June 17, 2016 – August 1, 2016) and at the hearing to receive comments on the Draft EIR held on July 19, 2016. Each comment letter is numbered, each comment is bracketed, and responses are provided to each comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project unrelated to its environmental impacts) may either be discussed or noted for the record. Where text changes in the Draft EIR are warranted based on comments received, updated project information, or information provided by Sonoma County staff, those changes are included in the response to comment, and are also listed in Chapter 2 of this Final EIR.

The changes to the analysis contained in the Draft EIR represent only minor clarifications/ amplifications and do not constitute significant new information. In accordance with CEQA Guidelines, Section 15088.5, recirculation of the Draft EIR is not required.

A list of all commenters is provided below followed by the Master Responses prepared to address issues that were raised in numerous comment letters followed by the comment letters and responses.

Letter Number	Date of Letter	Sender or Organization
<i>State and Local Agencies</i>		
A	6/27/16	Farl Grundy, Department of Conservation, Division of Land Resource Protection
B	7/25/16	Remedios V. Sunga, Department of Toxic Substances Control
<i>Organizations</i>		
C	7/19/16	Judith Olney, Preserve Rural Sonoma County
D	7/19/16	Byron LaGoy, Friends of Sonoma Mountain Road
E	8/1/16	Kathy Pons, Valley of the Moon Alliance
<i>Individuals</i>		
F	7/1/16	Matt Phillips
G	7/6/16	Carol Wieszczyk
H	7/6/16	Jane E. Nielson, Ph D
I	7/19/16	Byron LaGoy and Amy Rodney
J	7/20/16	Howard Wilshire
K	7/29/16	Donna Parker
L	7/29/16	Michael Guest
M	7/30/16	Dan Viele

Letter Number	Date of Letter	Sender or Organization
N	7/31/16	Kirsten and Edwin Cutler
O	7/31/16	Bill McNearney
P	8/1/16	Wayne Berry
Q	8/1/16	Law office of Rose M. Zoia, Rose M. Zoia
R	8/1/16	Tamara Boulton
S	8/1/16	Hilary Burton and Ernie Haskell
<i>July 19, 2016 Hearing on the Draft EIR</i>		
TS	7/19/16	Comments received at the July 19 Draft EIR hearing

List of Master Responses

- **Master Response LU-1:** Bennett Valley Area Plan. This master response addresses comments raised regarding consistency with policies contained in the Bennett Valley Area Plan.
- **Master Response TRAFF-1:** Traffic and Safety Concerns. This master response provides more information on safety concerns relative to Sonoma Mountain Road, addresses concerns regarding the analysis of truck trips and access for emergency service vehicles, pedestrian and bicycle safety, and also responds to comments that address the adequacy of the traffic analysis.
- **Master Response NOI-1:** Operation Noise. This master response addresses comments raised regarding noise associated with operation of equipment as well as proposed onsite events.
- **Master Response GWA-1:** Adequacy of the Groundwater Study. This master response addresses comments and concerns raised with respect to the project's water demands, well testing methods, and groundwater impact evaluation.
- **Master Response WW-1:** Wastewater Treatment. This master response provides more information on the type and characteristics of wastewater to be generated by the project, the effectiveness of the proposed treatment measures in treating those wastes, and the suitability of site soils for the proposed leach lines and filled land system.

Master Response LU-1: Bennett Valley Area Plan

[Responds to comments I-9, L-6, Q-10, Q-11, R-7, R-8, R-9, R-18, and TS-41]

No Commercial Uses Allowed by the Bennett Valley Area Plan

Commenters have referenced the Bennett Valley Area Plan (BVAP) policy that states “commercial development is not considered appropriate to the rural character of Bennett Valley.” While the alteration of “rural character” is not a CEQA impact in and of itself, in any case, the project complies with the BVAP, which is intended to address incompatible density and not “commercial” agriculture. The County’s Zoning Code includes the term “commercial” in the language that specifically defines agriculture. The BVAP certainly did not intend to prohibit commercial agriculture as is abundantly clear from the number of acres in the Valley devoted to commercial cattle grazing, vineyards, horse breeding, etc. The type of commerce referred to in the BVAP is commerce that increases and serves higher density, which would include, for example, the types of uses governed by the General Plan’s Commercial Use Policy. Agricultural uses such as the proposed use are appropriate, and are entirely consistent with the rural character of Bennet Valley, and the content, structure, and intent of the BVAP. Section 26-02-140 of the Zoning Code includes the following definitions which are particularly relevant:

Agricultural crop: Any cultivated crop grown and harvested for commercial purposes.

Agricultural enterprise means an operation of a property owner/operator that derives their primary and principal income from the production of agricultural commodities for commercial purposes, including but not limited to the following: growing of crops or horticultural commodities; breeding and raising of livestock, poultry, bees, furbearing animals, horses; agricultural processing; and preparation of commodities for market. An agricultural enterprise excludes boarding of horses, forestry and lumbering operations, and commercial transportation of prepared products to market.

In fact, farm sales of farm products are so important to agricultural uses in Sonoma County the Board of Supervisors (Board) adopted new regulations in 2014 (after this application was filed) that would allow permanent on-site sales of agricultural products grown on-site as a use that would require only a Zoning Permit on parcels as small as two acres. At the same time, the Board adopted regulations allowing small scale processing facilities of up to 5,000 square feet for products grown or raised on property owned or leased by the proprietor. Again, these are uses that require only a Zoning Permit. The project’s proposed cheese processing and sale of farmstead products fit these parameters. The project requires a Use Permit because alcohol products are excluded under both the on-site sales of farm products and the small processing facilities scenarios.

The LIA (Land Intensive Agriculture) zoning category includes the following agricultural uses which require a Use Permit of which (f) and (i) are the two providing authorization for the proposed project and its consideration as an agricultural use:

Sec. 26-04-020. - Uses permitted with a use permit.

- (a) Agricultural cultivation in the following areas, for which a management plan has not been approved pursuant to Section 26-04-010(d):
 - (1) Within one hundred feet (100') from the top of the bank in the Russian River Riparian Corridor,
 - (2) Within fifty feet (50') from the top of the bank in designated Flatland Riparian Corridors,
 - (3) Within twenty-five feet (25') from the top of the bank in designated Upland Riparian Corridors;
- (b) Livestock feed yards, animal sales yards;
- (c) Commercial mushroom farming;
- (d) Commercial stables not permitted under Section 26-04-010(i)(1), riding academies, and equestrian riding clubs. Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (e) Agricultural support services with more than one (1) and a maximum of three (3) employees or occupying more than one half ($\frac{1}{2}$) acre of land, but otherwise subject to the same criteria as Section 26-04-010(e). Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (f) Preparation of agricultural products which are not grown on site, processing of agricultural product of a type grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of agricultural products grown or processed on site, subject, at a minimum, to the criteria of General Plan Policies AR-5c and AR-5g;
- (g) Slaughterhouses, animal processing plants, rendering plants, fertilizer plants or yards which serve agricultural production in the local area and subject, at a minimum, to the criteria of General Plan Policies AR-5c and AR-5g. Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;

- (h) Retail nurseries involving crops/plants which are not grown on the site, except on land subject to a Williamson Act contract;
- (i) Tasting rooms and other temporary, seasonal or year-round sales and promotion of agricultural products grown or processed in the county subject to the minimum criteria of General Plan Policies AR-6d and AR-6f. This Subsection shall not be interpreted so as to require a use permit for uses allowed by Section 26-04-010(g);
- (j) Promotional or marketing accommodations for private guests, provided, that the use, at a minimum, meets all of the following criteria:
 - (1) The use promotes or markets agricultural products grown or processed on the site,
 - (2) The scale of the use is appropriate to the production and/or processing use on the site,
 - (3) The use complies with General Plan Policies AR-6d and AR-6f,
 - (4) No commercial use of private guest accommodations is allowed,
 - (5) Any such use on a parcel under a Williamson Act contract must be consistent with Government Code Section 51200 et seq. (the Williamson Act) and local rules and regulations;
- (k) Dwelling unit(s) for full time agricultural employees which are transferred from another lot within this district and which are under the same ownership as the subject property. The number of units allowed shall be determined by the standards in Section 26-04-010(h)(3). The units shall be located on the receiving parcel such that they are closer to the primary dwelling unit than to the property line;
- (l) Temporary farm worker camps not permitted by Section 26-04-010(h);
- (m) Seasonal farmworker housing that does not meet the road access, occupancy or setback standards of Section 26-88-010(l);
- (n) Year-round and extended seasonal farmworker housing that does not meet the road access, occupancy limits, parcel size or setback standards of Section 26-88-010(o);

The General Plan offers strong support for agriculture in Sonoma County and includes an entire chapter - *2.1 Assist In The Marketing And Promotion Of Sonoma County's Agricultural Products* which includes the Goal AR-1: Promote a healthy and competitive agricultural industry whose products are recognized as being produced in Sonoma County.

The following objectives are also included in the General Plan:

- **Objective AR-1.1:** Create and facilitate opportunities to promote and market all agricultural products grown or processed in Sonoma County.
- **Objective AR-1.2:** Permit marketing of products grown and/or processed in Sonoma County in all areas designated for agricultural use.

Additional goals and objectives are established in the General Plan to reduce the impacts of residential uses on agriculture. These are found in Chapters 2.3 and 2.4.

Chapter 2.4 includes the following opening statement:

“Both on the urban fringe and in the midst of agricultural areas, parcelization has occurred which has resulted in residential use being the primary use of the land. Complaints about noise, odors, flies, spraying and similar "nuisances" attendant to agricultural practices have discouraged and sometimes prevented farmers from managing their operations in an efficient and economic manner...

The Agricultural Resources Element establishes policies that support the needs and practices of agriculture as the highest priority in areas designated for agricultural use.”

The BVAP includes the following description of LIA lands:

Land Intensive Agriculture is a category which reflects the existing and potential intensive agricultural land use. Residential development is related to the agricultural economy and can include farm labor housing as well as single-family residences. Residential density is low in this area.

The County does not interpret the BVAP in a manner that would place it in conflict the General Plan, with which the BVAP must be consistent as a matter of State law. The BVAP is and must be interpreted through the lens of the General Plan.

BVAP Policies

Staff reviewed the current BVAP (adopted in 2008) and older versions of the plan. Although there are no policies specific to the proposed project site, the following policies are relevant to the discussion of this proposal:

I. LAND USE

Low density is important to maintain the rural character of Bennett Valley.

- (1) Residential densities shall reflect the extent of constraints, suitabilities and sensitivities of the area.

- (2) Commercial development is not considered appropriate to the rural character of Bennett Valley.
- (3) Development shall be coordinated with the public's ability to provide schools, fire, police and other needed services.
- (4) To minimize environmental disruption, the County Subdivision Ordinance shall be the minimum standards applied for grading, road construction, drainage, driveway construction, siting, landscaping and energy. Where development standards included in Bennett Valley Plan exceed County Subdivision Standards, the Bennett Valley Standards shall apply.
- (5) New development throughout Bennett Valley shall be reviewed for site design and consistency with Bennett Valley development guidelines.
- (6) Cluster development should be encouraged.

Development on the project site is directly related to the agriculture on the site and would be well screened from the public roadway and adjacent public and private lands. The total developed area of the 55 acre parcel is limited to 15% or a maximum of 5 acres, whichever is less, due to the Land Conservation (Williamson) Act contract. The developed area was determined to be about 1.9 acres, which is compliant with the Williamson Act Contract. As discussed above, wineries and other agricultural processing facilities are considered to be part of a commercial agricultural endeavor.

VI. CIRCULATION

The character of the road system is a vital component of rural character of Bennett Valley.

- (1) The character of the existing public road system shall be retained. Improvements should be made in the interest of safety.
- (2) Development shall be sited with minimum impact on the view from the road.
- (3) Intensity of land use shall reflect the conditions character and capacity of roads.

The proposed project is not proposing any changes in Sonoma Mountain Road that would change the rural character of the road. The proposed winery building is to be located within the existing farm complex and screened with additional vegetation to minimize its visibility from Sonoma Mountain Road.

G. TO PRESERVE AND PROTECT AGRICULTURE

- (1) Encourage utilization of Land Conservation Act of 1965 as amended.

- (2) Retain appropriately low densities.

A winery and cheese processing facility are considered compatible uses under the County's Uniform Rules for Agricultural Preserves. Compatible uses must be limited to 5 acres or 15% of the total acreage, whichever is less. These compatible uses occupy approximately 1.9 acres (less than 3%), which is well within the allowable limits.

No change in the residential density designation of 40 acres per dwelling unit is proposed.

H. TO AVOID INCREASING HAZARD ON INADEQUATE ROADS

- (1) Retain low density until road upgraded.
- (2) Encourage road trust funds to maintain establishment of and improve roads consistent with the transportation policy.

The proposed project does not include an increase in the residential density designation. The County has not established a "road trust fund" specific to the Bennett Valley area; however, Countywide traffic impact fees are allocated to each district along with any contributions from specific projects. Traffic Impact Fees are required for all new development projects, and are assessed based on a proportional share of anticipated future road infrastructure costs. This fee is intended to offset cumulative traffic impacts from new development.

Master Response TRAFF-1: Traffic and Safety

[Responds to comments C-1, C-4, C-5, C-12 through C-17, C-21, C-22, D-1 through D-5, E-1 through E-5, I-6, I-11 through I-15, I-17, L-1, L-9, M-2, M-7, N-1, O-2, O-3, P-7 through P-14, Q-18 through Q-22, Q-24, Q-27, Q-28, Exhibit D to Comment letter Q, TS-2, TS-5, TS-8, TS-9, TS-11, TS-12, TS-19, TS-38, TS-46, TS-47, TS-48, and TS-49]

Traffic and Safety

Numerous comments expressed concerns about the effect of project traffic on safety along Sonoma Mountain Road. Specific comments included a concern that existing roadway design features, including the existing width of the roadway and the potential effect of alcohol being served at the project site, would result in unsafe conditions and potential impacts to emergency vehicle access on Sonoma Mountain Road. In addition, several commenters asserted that the Draft EIR needs to evaluate the full impacts to public safety since commenters felt advising guests not to travel from Glen Ellen is not adequate.

The Draft EIR Section 3.9, Transportation and Traffic, described the assessment of potential transportation impacts resulting from the project, based on the adopted Sonoma County significance criteria described on page 3.9-12, which specifies that safety-related transportation impacts would be considered significant if any of the following occurs:

- If project traffic results in substantial increases in potential hazards due to a design feature (e.g., sharp curves or dangerous intersections) or any perceived incompatible uses (e.g., farm equipment).
- If project results in inadequate emergency access, or the project site would have inadequate emergency access.
- If proposed on-site circulation and street frontage would not meet the County's minimum standards for roadway or driveway design, or potentially result in safety hazards.

Key findings described in Section 3.9 are that:

- A. Project traffic would not result in substantial increases in potential hazards due to a design feature (e.g., sharp curves or dangerous intersections) or any perceived incompatible uses (e.g., farm equipment).
- B. Project traffic would not result results in inadequate emergency access, and the project site would have adequate emergency access.
- C. The proposed on-site circulation and street frontage will meet the County's minimum standards for roadway or driveway design, or potentially result in safety hazards.

References to each of the above safety findings (A-C) are provided below.

Finding A: Project traffic would not result in substantial increases in potential hazards due to a design feature (e.g., sharp curves or dangerous intersections) or any perceived incompatible uses (e.g., farm equipment).

This finding reflects (1) the relatively low volume of project traffic that would be generated; (2) the total volume of traffic on Sonoma Mountain Road, which would remain relatively low with the addition of project traffic; and (3) the actual rate of collisions on Sonoma Mountain Road, which is below the countywide average for two-lane roads.

Project Traffic

Tables 3.9-6 and 3.9-7 on pages 3.9-17 and 3.9-18 of Section 3.9, Transportation and Traffic, describe the anticipated volume of daily and peak hour vehicle traffic that would be generated by the project. In addition, Table 3.9-11 on page 3.9-23 shows the daily traffic volumes under Existing and Cumulative Conditions, with and without the project. Peak hour volumes are shown on Figures 3.9-2 to 3.9-8b starting on page 3.9-47.

As shown in Section 3.3:

- Under existing conditions, daily traffic volumes on Sonoma Mountain Road range from 276 to 464 daily vehicles. The project would generate 64 daily vehicle trips throughout most of the year, increasing to 100 daily vehicle trips during harvest season from August to October, while eight special events per year would generate 211 daily vehicle trips on eight selected Saturdays.
- Under existing conditions, peak hour 2-way volumes on Sonoma Mountain Road west of the site are approximately 41 vehicles during the weekday a.m. peak hour, 60 vehicles during the weekday p.m. peak hour, and 77 vehicles during the weekend peak hour. Therefore, under existing conditions, the traffic flow equates to roughly one vehicle per minute on average, with gaps averaging more than one minute per vehicle in both directions.
- The project would generate 19 a.m. and 34 p.m. weekday peak hour vehicle trips. This rate of peak-hour vehicle trip generation equates to roughly one added vehicle every two minutes on Sonoma Mountain Road.
- On weekends, the project would generate 27 Saturday peak hour vehicle trips throughout most of the year, increasing to 34 Saturday peak hour vehicle trips during harvest season, similarly equating to roughly one added vehicle every two minutes on Sonoma Mountain Road, excluding the eight annual special events.

- During the eight annual special events, the project would generate 80 Saturday peak hour vehicle trips. Thus, during special events, project trip generation equates to one added vehicle every 45 seconds during the Saturday peak hour prior to the start of the eight annual special events.

To summarize: existing traffic volumes seldom exceed an average of roughly one vehicle per minute on Sonoma Mountain Road, while the project would generate roughly one vehicle per two minutes, resulting in a slight increase from two vehicles per two minutes to three vehicles per two minutes. Gaps of nearly one minute would still generally remain between vehicles with the addition of project trips, which is not drastically different from existing conditions.

Project Site Trip Generation and Rates

The comment letter from PHA Transportation Consultants (Exhibit D to Comment Letter Q) suggested that the project trip generation forecast was “somewhat strange” because it presumed three daily vehicle trips per employee. The commenter felt that the daily trip generation rate per employee should be two (one in and one out) or four (assuming employees go out for lunch), but not three. For the purposes of this EIR it was determined the rate of three employee trips per day is a reasonable projected average, which presumes that half of employees would go out for lunch, and half would not, thus an average of three vehicle trips per employee. This is a conservative assumption, in that the lack of nearby lunch destinations would tend to discourage all employees from going out for lunch. Therefore, while the actual rate is likely to be closer to two daily vehicle trips per employee, the use of the higher rate of three vehicle trips per employee provides a conservative, high estimate of daily employee vehicle trips for transportation analysis purposes. The actual rate may be further reduced to the extent that some employees may choose to carpool – either to/from work or to/from lunch. Nonetheless, the EIR does not assume that carpooling would occur.

Peak Hour Trip Generation Analysis

The commenter also questioned the high rate of visitor trips during the peak hours – the commenter asked, “Why would the majority of visitors visit the site during the peak-hour?” The commenter is correct, in that the transportation analysis was conservative in assuming that many visitor trips would occur during the peak hours. This conservative assumption is intended to provide a “worst-case” scenario for analysis purposes, and it does not serve to underestimate impacts.

Special Event Trip Generation Assumptions

The commenter stated that daily trip generation under the special event scenario should total 160 vehicle trips generated by visitors, and that total trip generation should include employees.

The commenter is correct. As shown on Table 3.9-6 on page 3.9-17, when special events are held, the project would generate 211 total daily vehicle trips, including 160 vehicle trips generated by visitors with the remainder generated by employees and truck trips.

Directional Traffic (trip distribution) Assumptions

The commenter suggests that the presumed distribution of 75% of project trips to/from the west via Sonoma Mountain Road, and 25% to/from the east on Sonoma Mountain Road, is “not consistent with current traffic patterns.”

However, the commenter is incorrect, in that intersection volumes to the west are higher than intersection volumes to the east, (demonstrating that the bulk of traffic generated on Sonoma Mountain Road is to/from the west).

Furthermore, the project would include visitors from larger population centers to the south (San Francisco/Oakland/San Jose), and travel time would be less if arriving and departing via the west. Furthermore, the project applicant would advise visitors to arrive and depart via the west.

Traffic Count Dates

The commenter suggests that traffic counts, which were conducted in December and February 2015, should be redone during the upcoming harvest season. Ultimately, such counts would be largely academic, in that existing traffic volumes are far too low to result in findings of significance based on increased volumes. Conducting additional counts during harvest season would not change that finding given how low traffic volumes are, relative to capacity.

Parking

The commenter asks how excess parking demand would be accommodated if demand were to exceed the anticipated peak parking demand for a special event. In such a hypothetical scenario: one option would be for a portion of parking demand, within the 80-space special event lot, to be accommodated through valet parking. The use of valet parking can increase parking supply by 50 percent. However, such a scenario is considered unlikely based on the project description.

Collision Rates on Sonoma Mountain Road

As stated in Section 3.3, despite the perception of safety issues, the collision rate on Sonoma Mountain Road is lower than the countywide average.

Five years of collision records (2011-2015) were obtained from the California Highway Patrol for Sonoma Mountain Road (between Bennett Valley Road and Warm Springs Road) in Sonoma

County. Table 3.9-2 on page 3.9-6 presents a collision history summary on Sonoma Mountain Road in the project area. As shown in Table 3-9.2, there was an average of fewer than one recorded collision per year over the 7.6-mile stretch of road of Sonoma Mountain Road between Bennett Valley road and Warm Springs Road. Taking into account the average daily traffic volumes, those collisions translate to an accident rate of about 1.09 accidents per million vehicle miles traveled (MVMT). As shown in the table, those accident rates are lower than the latest Caltrans-published accident rate for two-lane roads in Sonoma County (i.e., 1.14 accidents per MVMT).

The collision data reveals that during the reporting period, the total collisions on Sonoma Mountain Road involved two vehicles hitting a fixed object and one vehicle hitting an animal. The collisions involved either an automobile or pickup truck. One single-vehicle collision involved an automobile (attributed to unsafe speed) and one single-vehicle collision involved a pickup truck (attributed to improper turning).

The collision history reviewed for Sonoma Mountain Road does not indicate pavement condition as a causal effect in the reported accidents. Road conditions are normally taken into account by drivers. As described in the Draft EIR, traffic volumes indicate that Sonoma Mountain Road primarily serves local traffic. Local drivers are familiar with the road conditions. In unusual circumstances, potholes can lead to vehicle damage. And in more unusual conditions they can also give rise to safety concerns, especially on high speed, high volume traffic routes. The County's DTPW gives priority to remedying any such safety conditions. Emergency calls about unsafe conditions are received by the County Sheriff and when appropriate, road repair issues are addressed on an emergency basis. The project's impact to traffic safety based on the existing Sonoma Mountain Road condition would be less than significant.

Alcohol Consumption and Potential for Increased Accidents on Sonoma Mountain Road

Concerns have been expressed regarding alcohol consumption at the proposed winery and whether this would increase accidents on Sonoma Mountain Road. Review of five years of accident data provided by SWITRS (the CHP's Statewide Integrated Traffic Records System) reveal zero accidents out of a total three accidents were reported as alcohol being the causative factor within the Sonoma Mountain Road roadway segment between Bennett Valley Road and Warm Springs Road. The SWITRS does not maintain comparative statistics for alcohol related accidents on two lane local roadways and so a meaningful comparison of this segment of road cannot be made with similar segments. The accident data does not provide information that relates specific facilities, such as wineries or bars, to specific accidents. It is not possible to use this information to analyze the incremental effects of adding a new facility that serves alcoholic beverages to similar facilities along a two-lane local roadway corridor.

Intoxicated drivers present a risk to the public, but this is an existing risk that the project is not anticipated to increase.

The State regulates the safe use of alcohol and the County's following standard condition would be required.

Staff Training. Within 90 days from issuance of a Certificate of Occupancy or if no building permit is required, within 90 days of issuance of the Use Permit, all owners, managers, and employees selling alcoholic beverages at the establishment shall complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program shall meet the standards of the California Department of Alcoholic Beverage Control or other certifying/licensing body, which the State may designate. New owners, managers, and employees shall complete the training course within 30 days of the date of ownership or employment and every third year thereafter. Records of successful completion for each owner, manager, and employee shall be maintained on the premises and presented upon request by a representative of the County.

Similar to all other facilities, the proposed winery would be required to obtain a State license to serve alcohol and to comply with all regulations governing sale and serving alcohol.

Finding B: Project traffic would not result in inadequate emergency access, and the project site would have adequate emergency access.

As described in Finding B above, the overall traffic volume seldom exceeds an average of roughly one vehicle per minute on Sonoma Mountain Parkway under existing conditions, while the project would generate roughly one vehicle per two minutes. Gaps of nearly one minute would generally remain between vehicles, even with the addition of project trips. Strictly based on traffic volume; there is no basis to conclude that project traffic would result in a significant impact to the ability of emergency vehicles to get access on Sonoma Mountain Road.

Project traffic could affect emergency vehicle access if the project were to result in vehicles parking on Sonoma Mountain Road near the project site. However, as stated in Section 3.3, the project would be required to provide adequate off-street parking to accommodate peak parking demand during the eight annual events without resulting in parking demand on Sonoma Mountain Road. The conditions of approval prohibit parking on Sonoma Mountain Road.

Section 3.9, on page 3.9-28 provides the findings related to emergency access to the project site. As described in the Draft EIR, impacts to emergency vehicle access could occur if visitors or employees were to park on driveway aisles providing vehicle access to the site. Width of the

existing driveway is approximately 24 feet. Based on the preliminary grading plan for the project, the driveway apron would be widened to a width of more than 30 feet, and the internal driveway would have a width of approximately 16 feet. These improvements would ensure that adequate emergency access would be provided and potential project effects to emergency access would be less than significant. As part of the project approval, the site plan would also be subject to additional review by the County Department of Emergency Services to ensure adequate emergency vehicle access to the site via Sonoma Mountain Road is provided.

Finding C: The proposed on-site circulation and street frontage will meet the County's minimum standards for roadway or driveway design, and would not result in potential safety hazards.

As described in Section 3.19, page 3.9-28, site plans propose to improve the driveway apron and internal circulation aisles. The driveway apron would be widened to a width of more than 30 feet as compared to the existing 24 feet and internal circulation aisles would be widened to approximately 16 feet. These on-site circulation and street frontage improvements would meet the County's minimum standards for roadways or driveway design and would not significantly result in any safety hazards.

Pedestrian and Bicycle Impacts

Several commenters expressed concerns about potential impacts to bicyclists and pedestrians on Sonoma Mountain Road. Commenters noted that there are no bicycle or pedestrian facilities along Sonoma Mountain Road, and express an opinion that a 6% increase in traffic would have an impact on pedestrians and bicyclists given the narrow road and lack of shoulders. However, the impact criteria for bicycle and pedestrian impacts is not based on the addition of a specific percentage of traffic, nor is there a specific volume identified at which point such impacts to bicycle and pedestrian circulation would be significant.

Instead, as stated on page 3.9-12, based on County guidelines, the project's impact on pedestrian and bicycle facilities would be considered significant if the project provides inadequate facilities (e.g., bicycle racks, pedestrian pathways) and/or the project creates potential conflicts with adopted policies, plans, or programs supporting alternative transportation. As described in Section 3.9, project impacts to bicycle and pedestrian facilities were found to be less than significant. Bicyclists use the road in its current condition. The small increase in traffic is not expected to significantly impact the existing Class III bike route, which is defined as a designated roadway for bicycle use by signs and markings, and may or may not include additional pavement width for cyclists.

Truck Traffic and Pavement Conditions

The Traffic Index (TI) calculations for Sonoma Mountain Road under Existing Conditions, and Existing plus Project Conditions are presented in Table 3.9-14 on page 3.9-17 in the Draft EIR. The County considers a project to have a significant impact to road wear if it would increase heavy truck traffic volumes resulting in an increase of the TI by more than 0.5 on roadways built to accommodate heavy truck traffic. As shown in Table 3.9-14, the project's truck traffic would not increase the TI on Sonoma Mountain Road by more than 0.5, and consequently, the impact would be less than significant.

As stated in the Caltrans Highway Design Manual (HDM), Chapter 610, Pavement Engineering Considerations, roadway pavement degrades over time for various reasons, including weather conditions and other environmental factors, but the primary factor affecting pavement conditions and its service life is the wear and tear from tire/pavement interaction associated with heavy vehicles. The effect is incremental and cumulative over the approximately 20-year life span of pavement. Wear and tear of road pavement occurs over time, and it is the total accumulated load of heavy vehicles over 20 years that is measured. In order to determine expected traffic loads on the pavement, truck traffic volumes were estimated for the 20-year period in the Draft EIR Report. The number of trucks per day for each axle configuration (i.e., 2, 3, 4, or 5+ axles) are converted to Equivalent Single Axle Loads (ESALs) using ESAL constants (Table 613.3A of the HDM). The ESAL constants are used as multipliers of the average daily truck volumes for each truck size to determine the total cumulative ESALs and in turn the TI during the 20-year life of the pavement.

TI comparisons are a measure of relative road impact contributions from a project, but do not take into account existing road conditions. As described in the Draft EIR, the existing pavement condition on Sonoma Mountain Road has multiple locations with damaged pavement, primarily to the east of the Project site. Sonoma Mountain Road traverses mountainous terrain and ranges in elevation from approximately 500 feet to the west, at its intersection with Bennett Valley Road. Elevation increases to approximately 800 feet at the project driveway, then up to approximately 1200 feet at the roads apex and drops back down to approximately 300 feet at its intersection with Warm Springs Road on the east side of the mountain. Under existing conditions, there is an existing potential of potholes occurring, which is more likely when heavy vehicles travel over damaged pavement in wet weather. This likelihood is due to cumulative roadway wear impacts, and based on the TI analysis, the project's contribution to those impacts is not cumulatively considerable. Pothole repairs are currently addressed through standard road maintenance procedures by DTPW. There is no risk of roadway failure due to ordinary legal loads. For any load that would raise such an issue, a transportation permit would be required from the Sonoma County Permit and Resource Management Department. Rural roads next to creeks occasionally are subject to erosion and damage from winter storm flows. Two such small

areas exist on Sonoma Mountain Road where there is minor subsidence at the edge of the road. Repairs are prioritized to maintain safely passable roadways. Emergency repairs are conducted, as needed, to maintain a safely passable condition for the traveling public. No further erosion has occurred at either of these sites over the past 3-4 years since the initial damage, indicating that the roadway is in stable condition at these locations. The roadway is narrower but passable, and there will be further improvements when staff and funding become available. At present, these narrow areas constitute an existing condition that would not be exacerbated by the project.

As described in the Draft EIR, Sonoma Mountain Road would experience a net decrease in peak truck traffic generated at the project site compared to existing conditions, due to a net decrease of 88 off-site wine grape shipments during the three-month harvest season, which equates to seven off-site grape shipments per week during harvest season. Project truck deliveries would include roughly two milk deliveries per week and one cheese truck per week, occurring throughout the year but representing a reduction in weekly truck trips during harvest season.

Regarding traffic safety, the above-described net decrease in project-generated truck traffic would also reduce the potential for conflicts between project vehicles and other vehicles on Sonoma Mountain Road. In addition, the lengths of the project trucks used for grape shipments would typically be 3-axle; approximately 30 feet long would be smaller than the advisory size limits of trucks using Sonoma Mountain Road. For those reasons, the project effect on traffic safety would be less than significant.

Project construction traffic would be temporary, intermittent, and dispersed throughout the day and occur mostly outside the weekday peak periods. Construction would not occur on weekends and holidays. As described in the Draft EIR on page 3.9-14, the maximum project construction truck trips (up to 40 one-way trips per day over a 6-month period of site grading) translates to one truck approximately every 15 minutes traveling to or from the project site over each 8-hour workday. Comparatively fewer daily truck trips would be generated during subsequent construction phases, resulting in lower truck frequencies during those phases. The movement of large project-related construction trucks travelling to and from the project site would be expected to result in increased congestion and lower rates of speed for other vehicles, particularly on Sonoma Mountain Road, but the consulting traffic engineers find no basis to conclude that this congestion and decrease in speed would lead to significant adverse safety impacts. However, since project construction traffic would have some minor adverse (though less-than-significant) effect on traffic flow on roadways serving the site, a condition of approval is proposed that off-site transport of materials and equipment to and from the site should be limited to the off-peak traffic periods of 9:00 a.m. to 4:00 p.m. This condition would be incorporated into contract specifications to ensure implementation by the construction contractors.

Percentage Increase in Traffic

Numerous comments questioned the percent contribution of project traffic to specific segments of Sonoma Mountain Road. To clarify, Section 3.3 in the Draft EIR indicated that the project would result in a 6% increase in daily traffic volumes to the east of the site, where initial review had suggested the greatest degree of concern about potential roadway safety impacts.

The percent increase in traffic is not directly relevant to impact findings. Rather, the discussion of the percent increase in traffic on specific segments of Sonoma Mountain Road was provided to help explain the order-of-magnitude increase in traffic on specific segments, but the actual percentages do not have a linear effect on the impact findings, and the impact that does exist has been taken into account in the analysis in the Draft EIR.

Master Response NOI-1: Operation Noise

[Responds to comments E-8, E-9, L-2, N-8, N-15, P-1, P-3 through P-7, Q-12 through Q-17, R-1, S-4, TS-6, TS-14, TS-17, TS-39 and TS-52]

Amphitheater Effect

Several comments assert that the Noise Report did not address the so-called “Amphitheater Effect,” which refers to topographical features which can make a project site conducive to the propagation of on-site noise to nearby residences.

The project site is at a higher elevation than most of the surrounding residences (the differences in elevation range from a few feet to approximately 60 feet, over horizontal distances ranging from approximately 600 to 1,750 feet). Thus, many of the nearby residences (which are located generally to the north, northwest, and west) currently have and would have in the future a clear view of the winery and activities on the north and west-facing side of the existing and future winery buildings. Accordingly, the noise analysis assumes a clear line-of-sight between the sources and receivers, with no excess attenuation from topographical or barrier shielding, with the exception of mechanical equipment (chiller) planned to be enclosed by a 5-foot high solid barrier. Furthermore, the noise calculations assumed acoustically hard surfaces as a conservative measure and the calculations of the noise level from the mechanical equipment and special event noise (e.g., non-amplified music and voices) assumed a perfectly reflecting surface, in order to ensure that the resultant noise level calculations would be conservative and thus account for any amphitheater-like effects. In fact, the project site is surrounded by fields and vineyards, which would provide varying degrees of noise absorption, depending upon the seasons, etc., but would rarely, if ever, be reflective in terms of noise absorption. In addition, the noise calculations conservatively did not account for excess attenuation from atmospheric absorption which could occur over the relatively long distances between the noise sources and the receivers.

Regarding “amphitheater effects,” amphitheatres that include an acoustic amplification due to the facility layout are carefully designed to take advantage of acoustic reflections from large, hard surfaces. The existing project site and project components do not include any large hard surfaces on the scale necessary to significantly amplify noise from the project.

To summarize, the noise analysis included in the Draft EIR was specifically tailored to ensure that the noise calculations were conservative in nature and biased toward highly efficient propagation of sound from the project site to nearby noise-sensitive land uses in order to account for the potential “amphitheater effects”.

On-Site Noise (Special Event and Mechanical)

Several comments assert that the Noise Report's use of a string quartet as the reference musical noise source was unrealistic or "naïve", and that amplified music should have been analyzed. Based upon the information provided by the applicant, the type of music which would be played would be similar in character and size to a string quartet, and no amplification system (portable or permanent, including use of a microphone) would be used at any of the outdoor events. To clarify this, the following change is made under **Agricultural Promotional Events** at the top of page 2-5:

There would be no outdoor amplified ~~music~~ sound at any event.

The assumption of raised male voices, rather than a mix of male and female voices, in the calculations was also commented on. The use of male voices ensures a more conservative outcome because the typical male voice has a greater sound power level and thus "travels" further. Additionally, the assumption that up to 200 voices would be at a "raised" volume for 50% of an hour is believed to be very conservative for an event of this nature. It is more likely that raised voices would be an isolated punctuation to lower, normal conversation levels.

Regarding special event noise, the calculated L_{50} due to special events was documented as not exceeding the local standard of 45 dBA. After re-reviewing the measurement hourly ambient sound data contained in Appendix A of the Noise Technical report, LT-1 L_{eq} results regularly exceed 45 dBA during the day time and only drop to the low 40s dBA during the hours between 1 a.m. and 4 a.m. Levels range from the mid to high 40s dBA L_{eq} during the evening hours. L_{eq} and L_{50} are not the exact same metric, but the values will generally be very close for environmental noise measurements. Based on this data, the calculated On-Site Event noise would not substantially increase the noise levels in the project vicinity.

Similarly for the parking lot noise, the analysis used the measured LT-1 L_{eq} values during evening hours as approximately 45 dBA. L_{eq} values are typically very close to the L_{50} values for ambient environmental noise measurements. As Table 12 of the Noise Technical Report shows (Draft EIR Appendix G), the combination of the parking lot noise with crowd and music noise does not exceed the County's applicable standard of 50 dBA L_{50} . The highest combined calculated L_{50} is 47 dBA. This does not provide sufficient evidence to show that on-site special event noise would create a substantial increase in the noise levels at the nearest residences. The same process can be applied to the mechanical noise.

Commenters are referred to the measurement hourly data contained in Appendix A of the Noise Technical report (Draft EIR Appendix G). LT-1 L_{eq} results regularly exceed 45 dBA during the day time and only drop to the low 40s dBA during the hours between 1 a.m. and 4 a.m. Data from this location is available for about 4 days. Through the 4 days, variations in the levels

occur. Based on those variations in the levels and the measurements from the other locations, levels in the low to mid 40s dBA are common in the general project vicinity. Therefore, since the calculated levels due to the project are equal to or less than the 45 dBA L_{50} criterion, there would not be a substantial increase in the ambient noise levels in the area.

Comments were received regarding mechanical equipment noise, in particular the fact that only the chiller was analyzed. Based upon information provided by the applicant, the chiller is the only major piece of equipment that would be located outside; all of the other equipment would be located inside the building(s). Therefore, the analysis only addresses the chiller.

Noise Metrics

Several comments question the use of various noise metrics, the nature of sound, and the choice of impact criteria.

One comment noted that the existing conditions section of the Noise Report (Draft EIR Appendix G - Section 2) summarizes the noise data on a daily basis rather than hourly, per County Noise Element Table NE-2. In fact, hourly, statistical, and daily noise metrics are provided in Section 2, for various receiver locations. This is appropriate because the applicable noise standards are not limited to Table NE-2 (which applies to non-transportation noise), but also upon County Noise Element Policy NE-1b, which is applicable to transportation noise and uses the L_{dn} noise metric.

Several comments asserted there are no noise metrics to quantify intrusive or disturbing sound. This is not factually accurate, as the standards commonly in use and used in this noise analysis are based upon research studies conducted in the mid- and late-20th century of human reaction to noise (i.e., Schultz, Fidell, et. al.) The recommendations, which subsequently became widely used standards, were set based upon intrusiveness, percentage of populations highly annoyed, etc.

The question was asked “what does a 45 dB L_{dn} actually sound like?” Because the L_{dn} noise metric is a weighted, 24-hour energy-averaged noise level, there is no one point in time during which one can hear a 45 dB L_{dn} level. A given location could experience periods of higher noise and lower noise, and using a noise meter, the average noise level throughout a 24-hour period could be 45 dB L_{dn} . However, for the purposes of discussion the interior noise level standard of the County of Sonoma and the State of California for residential land uses is 45 dB L_{dn} . So, it could be thought of as the typical noise level representative within a quiet residential space.

One comment noted that because the unit of sound is logarithmic a simple difference of 1 to 4 dB cannot be discounted as insignificant. Please see the discussion of noise fundamentals in Section 1.3, and Section 3.1 (Significant Changes In Ambient Noise Levels) of the noise report (Draft EIR Appendix G).

Another comment suggested that the noise evaluation did not address outdoor areas such as North Sonoma Mountain Park. The noise analysis evaluated outdoor areas in the project vicinity and especially focused on the residential areas nearby. Project-related increases in noise levels at all nearby residences were found to be less than significant. Since North Sonoma Mountain Park is approximately the same distance as the furthest evaluated residence (approximately 0.3 mile) the noise impact on the North Sonoma Mountain Park would also be less than significant.

Traffic Noise

Several comments relate to various aspects of the traffic noise modeling methodology. Among these is a comment claiming an apparent inconsistency between the measured noise level (59 dBA L_{eq}) at receiver ST1 and the modeled noise level (43 dBA L_{dn}) at receiver R4. Apart from the fact that the commenter is comparing different noise metrics, the primary reason for the difference is that ST1 and R4 are not one and the same receiver. The measurement represented by ST1 was conducted near the roadway (Sonoma Mountain Road), whereas R4 was located further from Sonoma Mountain Road, in order to more closely represent the nearby residences, which are also set back from the road. Figure 3.8-1 has been revised (and is included at the end of Chapter 2). The question also was raised as to why traffic noise was not modeled at LT1; the reason is that LT1, which represented the northern boundary of the project property, is not a noise-sensitive land use. Additional modeled receivers (such as R4, R5, etc.) represent the nearby noise-sensitive land uses (i.e., residences) and these were modeled to identify any project-related impacts.

Regarding traffic impacts, it was remarked upon that the text in the discussion of traffic impacts did not make specific reference to receivers R9 and R10. This is because, as shown in Tables 7 and 8 in the Noise Report (Draft EIR Appendix G), there would be no significant increase in traffic noise at these locations (similarly to the other modeled locations). There was also some confusion regarding how the Existing and Cumulative categories differ.

The following text will be added to page 3.8-15 in the 2nd paragraph under Impact NOI-1:

“Consistent with the Traffic Impact Analysis (Appendix H of this EIR), information used in the model included the Existing (i.e., baseline conditions), Existing plus Project, Cumulative, and Cumulative plus Project traffic volumes and speeds. The existing traffic scenario addresses trip volumes on the area roadway network at the present time; the Existing plus Project adds the trips generated by the project to the current area roadway network volumes. The cumulative traffic scenario addresses the roadway trip volumes on the roadway network from all development occurring in the project region, in the target year of 2040, without any contribution from the project; the Cumulative plus Project scenario adds the trips generated by

the project to these cumulative volumes. Two scenarios were modeled: Scenario 1: Harvest Season, and Scenario 2: Agricultural Promotional Events.”

A commenter remarked that “there are regions where the 45 dBA L_{dn} will be exceeded (Table 3.8-7 on page 3.8-18 in the Draft EIR) (Appendix 2) particularly at Receiver 3 and 7. Since the unit of sound is logarithmic, a simple difference of 1 to 4 dB cannot be discounted as insignificant” As discussed in the Noise Report (Draft EIR Appendix G) and the Draft EIR Noise section (Section 3.8) referenced, these and the other modeled traffic noise levels would be below the applicable threshold of 60 dBA L_{dn} . Based upon the findings and the County’s significance criteria, traffic noise impacts would be less than significant.

One commenter stated that the local roadways’ grades and curves were not considered. This is not accurate as the noise model (TNM v. 2.5) included the roadway geometry, and TNM adjusts heavy truck noise emission levels on steep grades.

Another commenter stated that receiver R10 was located below the elevation of Belden Barns. This is accurate – the local elevation in the area represented by R10 (believed to be the nearest residence off Sonoma Ridge Road) is approximately 940 feet, or approximately 50 feet below the project site. The residence referenced in the comment, at 255 Sonoma Ridge Road, is located approximately 700 feet from R10 (approximately 1,800 feet from the project site), and is set back further from Sonoma Ridge Road than R10.

One comment stated that the noise report “glosses over” the fact that there are receivers at which traffic noise would exceed 45 dBA L_{dn} , “particularly at Receiver 3 and 7”. Notwithstanding the fact that 45 dBA L_{dn} is not the applicable exterior noise standard for traffic noise, Tables 7 and 8 (in the Noise Report, Draft EIR Appendix G) show that the noise levels at these locations exceed 45 dBA L_{dn} under all scenarios, including the Without Project scenario (i.e., Existing and Cumulative Without Project).

A commenter also questioned the analysis of traffic noise using a daily, 24-hour weighted average approach (i.e., an L_{dn} or CNEL). This was used because the County’s standards for transportation noise are based upon these noise metrics. The on-site vehicular noise from the proposed parking area, on the other hand, uses the hourly noise metrics which are applicable to on-site operational noise.

Construction Noise

Several comments were made regarding the construction noise analysis. Reference is made to an apparent discrepancy between the noise emission levels used in the FHWA’s RCNM (construction noise model) and the reference equipment noise levels shown in Table 13 in the Noise Report (Draft EIR Appendix G).

While Table 13 is provided as a generalized reference of “typical” construction equipment noise levels, it was not the sole source of data used in the analysis. Rather, the default equipment noise levels within RCNM were utilized. Both sources are regularly referenced and are industry standards. Given the variability of construction equipment, it is not surprising that there would be somewhat differing noise levels when comparing a specific equipment type.

One comment regarding speech interference pointed out “no explanation or basis for comparison” was included for the conclusion that ‘noise levels would likely not interfere with speech’. Levels of about 65 dBA at 3 feet is a commonly accepted sound level for speech between people. Variations in speech levels are very common in different circumstances, ranging from 60 dBA (normal conversation) to 78 dBA (shouting) at a distance of three feet (refer to table below). As also shown in the table below, for every doubling of the distance from the noise source the sound pressure level is reduced by approximately 6 decibels. This exterior attenuation rate applies to point noise sources, including construction activity.

Distance		Voice Level (dB)			
(ft)	(m)	Normal	Raised	Very Loud	Shouting
1	0.3	70	76	82	88
3	0.9	60	66	72	78
6	1.8	54	60	66	72
12	3.7	48	54	60	66
24	7.3	42	48	54	60

Source: Engineering Toolbox 2016. http://www.engineeringtoolbox.com/voice-level-d_938.html

The construction noise analysis shows the highest construction-related levels would occur at the residences to the northeast at 780 feet, during the demolition phase of overall construction effort. Calculated noise levels are expected to be 62 dBA. The human ear and brain are very adept at picking out and focusing on speech in the presence of other noise. It is common for people to be able to understand speech even when other noise levels are 3 dB above the speech level. Furthermore, the demolition noise is not expected to be continuous. If short duration noises from demolition are audible, it is likely that people will still be able to continue a conversation without interruption due to the short duration of the demolition noises.

Regarding the comment, “this section does not assess construction noise in comparison to the existing ambient condition, as required by Impact Threshold #4,” the County has not adopted a quantitative significance threshold for construction noise. As explained in the Draft EIR, “The County does not have a noise ordinance, and Table NE-2 in the County’s Noise Element in the *Sonoma County General Plan 2020* applies to noise associated with permanent land uses and not temporary non-operational noise.” Despite the fact that construction noise would be relatively low (i.e., calculated to be approximately 62 dBA L_{EQ} at the closest off-site residence,

as compared to normal conversation speech levels of 65 dBA L_{EQ}) due to the distance to noise-sensitive land uses, limits are placed on the time construction activities can occur in proposed mitigation measure MM-NOI-1. Therefore, this is not considered a significant impact.

Regarding the comment, “there is no evaluation of construction traffic, such as haul trucks. We would expect significant truck traffic during Demolition, Site Preparation, and Grading phases,” there is a limited number of truck trips planned based on the project description. The earthwork and construction phases of the project would have a duration of approximately 18-24 months. Over this period, it is anticipated that a total of 90 deliveries for construction materials would occur, along with 50 concrete truck deliveries. This averages to less than a single delivery per day, which is not expected to significantly increase the noise in the area. Five worker vehicles per day are also expected during the construction period, which would not substantially increase the overall quantity of passenger vehicles on vicinity roadways, nor associated traffic noise levels. The same restrictions on hours of operation would apply as for the on-site construction work. This leaves about 40 truck trips between 7 a.m. and 7 p.m. or about 3 to 4 trucks per hour, which would not significantly increase the noise levels in the area.

Comment L-2 states the Draft EIR minimizes acoustical impacts on those near the proposed project. Construction would take place at distances ranging from approximately 780 to 1,600 feet from adjacent, existing noise-sensitive uses. That is, the analysis was presented to inform readers of the estimated levels at the actual noise-sensitive use, not to make a quantitative significance or non-significance determination.

Lastly, the County Permit and Resource Management Department will investigate any noise complaints that are documented. The County’s Condition of Approval states: “If such investigation indicates that the appropriate noise standards have been or may have been exceeded, the permit holders shall be required to install, at their expense, additional professionally designed noise control measures.” A two-year permit review and annual report will also be required.

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Master Response GWA-1: Adequacy of the Groundwater Study

[Responds to comments E-11, H-6, I-10, L-5, L-8, L-14, N-16, N-18, N-20, Q-3, Q-4, Q-5, S-10, TS-20, TS-21, TS-24, TS-35, TS-36, TS-50 and TS-53]

Numerous comments were received regarding the project's proposed groundwater use, the well testing methods, and the adequacy of the groundwater impact analysis. The analysis provided in the Draft EIR, Appendix F, and summarized in the Hydrology and Water Quality Section (DEIR Section 3.7.3, Impact HYD-2), represents standard professional practice in the hydrogeological field. Commenters are reminded that the well on the project site is neither an agricultural nor municipal supply well and that the proposed project water demands are comparatively low. The project proposes an increase in groundwater use of 1.77 acre-feet per year for a total groundwater use of 3.54 acre-feet per year. The scope and depth of a groundwater investigation should be commensurate with the severity of impacts that can be reasonably anticipated to arise from the project-related increase in pumping. Considering the project does not propose either a new well or intensive groundwater production, the scope and content of the groundwater investigation, particularly with regard to establishment of an off-site monitoring network, was more than robust. Specific issues raised by commenters are addressed below.

Groundwater Demand

Several comments were received that suggest the Draft EIR should have analyzed a higher water demand because the on-site project well could be retrofitted with a higher-capacity pump, or because it is technically feasible to recharge the on-site pond with groundwater. These scenarios are speculative in nature, not based on facts, and do not reflect the project as proposed. The project's proposed groundwater use is identified in multiple places in the Draft EIR including the Project Description (Chapter 2), Hydrology and Water Quality Section (DEIR Section 3.7.3, Impact HYD-2, Table 3.7-9), with the most detailed information provided in Appendix F (Section 2.3.3). Commenters are directed in particular to the last paragraph of Section 2.3.3 in Appendix F, which compares the project's groundwater demand with the well's pumping capability, and indicates that the proposed water storage tanks would constrain the maximum pumping duration to 14.5 hours. The groundwater demand for the proposed project represents approximately 10% of the well's annual pumping capability if it were on 24 hours per day/365 days per year. The applicant would continue to irrigate the existing vineyard, vegetable garden and orchard using surface water from the on-site pond, which has a SWRCB-approved water right of 18 acre-feet per year (DEIR Appendix F p. 7, 1st paragraph).

In addition, as noted on page 3.7-33 of the Draft EIR, the project will be conditioned so that the water well serving the project is fitted with a measuring device to monitor and report

groundwater usage. Readings from the meter shall be taken monthly by the applicant, and a report on groundwater use shall be reported in conjunction with the reports required by Section WR-2d (formally RC-3b) of the Sonoma County General Plan and County policies. In the event that groundwater use exceeds 3.54 acre feet per year by more than 10 percent, PRMD shall bring this matter back to the Board of Zoning Adjustments for review of causes and possible additional measures to reduce water use. Although multiple comments have been received, none have offered substantive comments as to why either the water use estimate could be inaccurate, or what would prompt the project applicant to upgrade the well pump. Re-analysis of higher water-use scenarios is not reasonable or required to substantiate the groundwater conclusions included in the Draft EIR.

Geographic Scope of the Off-Site Well Monitoring Network

Some commenters took issue with the geographic scope of the off-site well monitoring network. These commenters are referred to Draft EIR Appendix F, Section 4.2 and Section 6, which indicates that all property owners whose parcels were within a 1,000 foot radius of the well were contacted to participate in the study. This resulted in off-site wells as far as 1,973 feet (0.37 mile) away being monitored during the well pump test. Furthermore, well logs as far as 1 mile away were reviewed as part of the study. To clarify the scope of the well survey, the last paragraph of Draft EIR pg. 3.7-7 is amended as follows:

“[...] As part of the study, an inventory of local wells was developed based on review of well completion reports submitted to DWR, County well records, and a field visit to the project site and surrounding properties, which are shown in Table 3.7-3 and Figure 3.7-2 (Well A-1, located in the developed portion of the site, is the proposed project well). All property owners within a 1,000-foot radius of the project well or within 300 feet of the parcel boundary were contacted to request access to their wells. Of the property owners contacted, one denied access and one did not respond. A total of seven wells were surveyed on the five off-site properties for which access was granted. [...]”

The closest well to the project well, Well C-1 as referred to in Appendix F, was included in the monitoring network through manual water level measurements taken before, during, and after the 24-hour pump test of the project well. A water level logger was installed in the abandoned Well C-2, which is 10 feet away from Well C-1 and screened in the same aquifer as Well C-1, as evidenced by similar water levels and a strong response in abandoned Well C-2 to pumping activity in Well C-1 (Draft EIR Appendix F, Section 6.3.2 and Figure 8A).

The well monitoring network included wells with a sufficient range of depths and distances such that responses to pumping from the project’s on-site well, if any, could be detected. As the

closest wells, these represent the maximum potential effect from project pumping. Therefore, expanding the radius further is neither reasonable nor required to substantiate the groundwater conclusions in the Draft EIR.

24-Hour Pump Test

Several commenters took issue with the fact that site-specific aquifer parameters could not be determined because the well was not pumped at a high enough rate. The groundwater analysis acknowledges that the 24-hour pump test could not achieve a pumping rate high enough to yield reliable values for the hydraulic properties of the underlying aquifer (Draft EIR Appendix F, Section 6.3.2). Given the 24-hour pump test is 10 hours longer than the maximum running time of the well needed to consecutively fill all the proposed water storage tanks, it already over-represents the stress on the aquifer the project would normally impose. Although aquifer parameters could not be determined, draw down rates and groundwater recovery were directly measured in the nearby monitoring wells.

While pumping the project well at a higher rate could have yielded more accurate, site-specific aquifer parameters, such information would not have yielded substantially different conclusions. As indicated below, the significance conclusions in the Draft EIR are valid for a wide range of possible aquifer parameters. The primary usefulness of the 24-hour pump test was to provide an opportunity to observe how quickly the well recovers from pumping, and whether there is a response within off-site wells from pumping of the project well. In this respect, the data collected from the 24-hour pump test is valuable, even if the pump test could not yield site-specific measures of aquifer parameters.

Use of aquifer parameter estimates from the literature is an acceptable approach to estimate project-related impacts in the absence of an aquifer “stress test” that produces site-specific aquifer parameters. Considering that a very high pumping rate (e.g., 250+ GPM) would not be representative of project operations (i.e., 23 GPM maximum), replacing the well pump with one capable of a higher output was considered unnecessary for the analysis to be reasonably accurate or for the conclusions to be reliable and defensible.

Groundwater Report

Certain commenters had technical comments on Draft EIR Appendix F, primarily with regard to the rainfall estimate used, the transmissivity values used in the analysis, and the apparent discrepancy between observed and predicted drawdown within Well K-2 (Draft EIR Appendix F).

- **Rainfall Estimate:** The basis for the rainfall estimate is described in Draft EIR Appendix F, Section 3.1 and shown in Figure 2. As indicated in Appendix F Section 7.1.2.1, the period of record used in the analysis is up to the end of 2012, and thus does not include

the last few years of drought. To clarify this, the fifth bullet point under Impact HYD-2 (pg 3.7-33) of the Draft EIR is amended as follows:

- **Recharge substantially exceeds groundwater extraction, based on the water balance analysis.** Precipitation, evapotranspiration, runoff, groundwater extraction, and recharge within the watershed was simulated over a 30 year period, assuming buildout of General Plan land uses. The historical period of record for precipitation used was from the Santa Rosa gauging station between January 1983 and December 2012, with an upward adjustment of 40% to account for orographic enhancement. Over that time frame, withdrawals from the aquifer never caused a total groundwater in storage to decrease of to less than 99.8% of the total aquifer's storage capacity.

The historic rainfall record used runs through December 2012, the date of the Use Permit application, and reflects initiation of CEQA review in 2013. The analysis does not overstate precipitation because it used the lowest average yearly rainfall estimated from the range of sources consulted to adjust rainfall totals from the Santa Rosa Station. Figure 2 of Draft EIR Appendix F, which is from the USGS groundwater study, suggests the precipitation amounts on the project site could actually be 60% higher than the Santa Rosa weather gauge. Given the period of record goes back over 100 years, including the last three years of drought would only make a 3% difference in the average annual rainfall value, and even less of a difference in the result of the groundwater in storage analysis, since it already includes simulated drought periods from the historical record.

- **Transmissivity Value:** West Yost Associates, in their technical review of the groundwater investigation (Letter Q), indicates the value of transmissivity is derived from the 24-hour pump test and used in the distance-drawdown calculations appears to be high. As described in Draft EIR Appendix F (Section 6.4), Dudek determined the average transmissivity of the project well at a production rate of 23 GPM to be 20,496 gallons/day/foot (or 2,740 feet²/day), using the Cooper–Jacob approximation to the Theis equation method. West Yost Associates provides an alternative empirical method—based on the specific capacity of a well—to derive a transmissivity value of 6,600 gallons/day/foot (or 882 feet²/day). Given the project well is screened primarily within the Sonoma Volcanics, which has a range of transmissivities of 0.8 – 5,000 feet²/day in the literature, either value may be considered reasonable. It should be noted that Huntley and Razack (1992)¹ examined the empirical method in a study, which found the range of probable transmissivities corresponding to a single specific capacity is more than one order of magnitude due to turbulent well loss within the production well.

¹ Razak M. and Hundley D. 1992. Assessing Transmissivity from Specific Capacity in a Large Heterogeneous Alluvial Aquifer. *Ground Water*. Vol. 29, Issue 6, pp. 856 – 861. November 1991.

Use of either transmissivity value would yield the same conclusion of minimal drawdown in off-site wells. For reference, Table GWA-1 shows how the projected drawdown changes when using the transmissivity value cited by West Yost Associates (applying the same method described in Appendix F, Section 7.2). The values of drawdown in underline/italics are the results of using a transmissivity of 6,600 gallons/day/foot in the calculation, all others are equivalent to Table 13 in Draft EIR Appendix F.

Table GWA-1
Distance – Drawdown Analysis Results Using a Transmissivity of 6,600 GPD/foot

Distance from Pumping Well A-1 (feet)	60-Day Drawdown (S=0.075) ^a	End Year 1 Drawdown ^b (S=0.075)	End Year 5 Drawdown ^b (S=0.075)
714 (Well C-2) ^a	0.30 / <u>0.53</u>	0.53 / <u>1.20</u>	0.74 / <u>4.01</u>
1224 (Well B-1)	0.18 / <u>0.21</u>	0.40 / <u>0.79</u>	0.60 / <u>3.45</u>
1,501 (Well K-2) ^a	0.12 / <u>0.11</u>	0.33 / <u>0.61</u>	0.54 / <u>2.7</u>
1,686 (Well L-1)	0.11 / <u>0.09</u>	0.31 / <u>0.56</u>	0.52 / <u>1.16</u>
1,973 (Well P-1)	0.08 / <u>0.05</u>	0.28 / <u>0.46</u>	0.48 / <u>1.04</u>

Notes:

- ^a These drawdown values are considered equally valid for Wells C-1 and K-1 due to close proximity.
- ^b Assumes constant pumping (24 hours per day 365 days per year) at production rate of 23 gpm.

Although drawdown estimates do increase, they remain insufficient to realistically cause a drop in groundwater level below the well screen or pump for off-site wells, when considering the calculations assume continuous pumping 24/7 (equivalent to a water use of 37 acre-feet per year). With frequent periods of non-operation and an actual water demand of 10% of the project well’s production capacity, water levels would rebound in a similar manner observed after the 24-hour pump test.

- **Difference Between Observed and Predicted Drawdown in Well K-2:** West Yost Associates, in their technical review of the groundwater investigation (Letter Q), also points out that the drawdown observed in Well K-2 during the 24-hour pump test does not agree with the calculated projections. The projections (i.e., Cooper–Jacob approximation) do not consider the effects of off-site well pumping, such as in Well K-2 or other proximal wells such as Well K-1. Therefore, a divergence between the observed trends and the distance-drawdown calculations does not necessarily indicate the methods or results of the analysis are flawed. As indicated in Figure 9B of Appendix F, the pump in Well K-2 turned on both before and during the 24-hour pump test of the project well. The drawdown in Well K-2 during the 24-hour pump test is attributed to both pumping of the project Well A-1 and in-well pumping of Well K-2. Additionally, pumping from proximal wells such as Well K-1 or other nearby wells may have contributed to

drawdown in Well K-2, but these wells were not monitored during the 24-hour pump test. The drawdown observed in Well K-2, even if it were due to pumping from the project well, is minor, representing less than 0.06% of the water column in the well. This discussion and analysis can be found in Draft EIR Appendix F (Section 8, p. 54).

In summary, the response to the technical comments on the groundwater analysis, addressed above, do not result in a significant increase in impacts or a change in the significance conclusions in the Draft EIR.

Groundwater Impact Conclusions

It should be noted that impact significance determinations in the Draft EIR are made after considering the conditions of approval imposed by PRMD, consistent with Sonoma County General Plan Policy 2(d). As indicated in Draft EIR Section 3.7.3, Impact HYD-2, the project would be conditioned to submit quarterly groundwater usage and water level data to the County, so that PRMD may bring the matter back to the Board of Zoning Adjustments if the groundwater pumping is found to exceed 3.54 acre-feet per year.

Master Response WW-1: Wastewater Treatment

[Responds to comments N-17, N-18, N-20, Q-6 through Q-9, and S-5]

Several comments were received regarding the adequacy of the Draft EIR in addressing potential impacts on the wastewater to be generated by the project. Specifically, concerns were raised regarding the type and characteristics of wastewater to be generated, the effectiveness of the proposed treatment measures in treating those wastes, and the suitability of site soils for the proposed leach lines and filled land system. The Draft EIR addresses wastewater in the context of water quality concerns, and describes the State and County processes that would govern final permitting and approval of the proposed wastewater system. This includes review of the proposed system by a County Health Specialist to ensure the system is consistent and compliant with County policies (e.g., PRMD Policies 9-7-17 and 9-2-31, and Chapter 24 of the County Code of Ordinances), and verification that all wastewater treatment system conditions have been met prior to issuance of a certificate of occupancy (Draft EIR p. 3.7-28, 3rd par.). It also discusses required compliance with the State Regional Water Quality Control Board (RWQCB) waste discharge requirements, which requires submittal of permit registration documents and implementation of a monitoring and reporting program (Draft EIR pp. 3.7-27 and 3.7-28, 3rd par.).

For understandable reasons, the conclusions in the Draft EIR take into account the standard processes that govern permitting and approval of modern wastewater systems in the County. The County will ensure that comments submitted by ReWater Systems (attached to Letter Q) regarding the appropriateness of the proposed treatment technology will be considered in the final permitting of the wastewater system by PRMD's Well and Septic Division. Given many of the comments provided by ReWater Systems are addressed in the project-specific wastewater feasibility study referenced in the Draft EIR, the County is adding this document as an Appendix A-1 to this Final EIR to allow for full review. All references in the Draft EIR to "Steve Martin and Associates 2014" will be modified as follows:

~~Steve Martin and Associates 2014~~ Appendix A-1.

ReWater Systems and other commenter's concerns regarding the proposed wastewater system are addressed below:

Source Water Quality

ReWater Systems (attached to Letter Q) expresses concern regarding the lack of information on the source water quality, and emphasizes that wastewater produced by the project would not be representative of typical domestic wastewater. The origin of the wastewater to be generated by the proposed project is disclosed generally in the Draft EIR on pages 2-7 and 2-8, as well as

page 3.7-27. To provide greater detail on the origin of the process wastewater, the first paragraph on page 3.7-27 is amended as follows:

“[...] Wastewater to be generated by the project is classified as sanitary wastewater (i.e., necessary to serve the restrooms, laboratory facilities, and the tasting room) and process wastewater (i.e., collected by floor and trench drains in the course of tank, barrel, and equipment rinsing and cleaning activities).

The project’s sanitary wastewater would consist of domestic sewage effluent, also known as “sanitary sewage”. Sanitary sewage effluent is comprised of many constituents, including pathogens such as fecal coliform. The sanitary system would consist of a 2,000 gallon septic tank attached to the production lab, winery restroom and agricultural employee housing unit; and another 2,000 gallon septic tank attached to the tasting room and main residence. The sanitary wastewater settling tanks are designed for detention times of 3.5 days, 3.3 days and 2.7 days for an average day flow, harvest day flow, and peak harvest day flow, respectively. An effluent filter would be installed on the outlet of the septic tanks.

Process wastewater would be generated from typical winery processing activities including crushing, fermentation, barrel storage and bottling, with tank, barrel, equipment and floor cleaning. Cheese would be processed from goat, sheep, and cow milk produced by the animals on site as well as additional milk produced at a local dairy. Cheese processing activities would include milk intake, standardization, coagulation, cutting, heating, pressing, and curing with tank, equipment, and floor cleaning. Solids would be recovered through floor drain screens and rotary screens and disposed of on-site. The pomace would be disced into the 20 acres of vineyard as a soil amendment and the solid whey would be used to supplement the feed for the livestock on the property. The process wastewater would be collected in a 9,000 gallon septic/settling tank. The process water settling tank has been designed for a minimum detention time of approximately 5.2 days for the peak day.

The effluent quality of process wastewater from the cheese making and wine making are similar in characteristic, and as a result, the treatment and disposal of both process waste streams would be treated in the same system (Appendix A-1). Both sanitary wastewater and process wastewater would be collected in a combined sump tank prior to being directed to an existing filled land system, to be upgraded with the addition of an NSF 40 approved pre-treatment filter, and minor modifications / expansion.

The on-site wastewater treatment and disposal facilities have been sized to accommodate conservative estimates of peak generation rates, including the required expansion/reserve areas. The anticipated wastewater generation volume and flows are summarized as follows (~~Steve Martin and Associates 2014~~Appendix A-1):

- **Sanitary Wastewater:** The average sanitary wastewater generation rate is expected to be approximately 155 gpd on weekdays and 210 gpd on weekends, with a peak rate of 355 gpd occurring in the worst-case scenario of a weekend event overlapping with a peak harvest day.
- **Process Wastewater:** The annual volume of process wastewater generated by the project is estimated to be 120,000 gallons for wine processing, and 18,750 gallons for cheese production, for a total of 138,750 gallons. The average process wastewater generation rate is expected to be approximately 380 gpd, with a peak week harvest generation rate of 1,730 gpd with the conservative assumption that peak cheese and wine processing periods occur concurrently.

As indicated in Appendix A-1, the project would require 2,291 linear feet of primary leach lines and 1,374 linear feet of reserve leach lines, for a total of 3,665 linear feet. There are currently 4,214 linear feet of filled land leach field either installed or designated on-site. Therefore, there is more than adequate room for the proposed new use. Both the sanitary wastewater and process wastewater each require a reserve system in the event the primary filled land system is abandoned. If evidence is observed of primary wastewater system failure (e.g., slow leaching, pooling water, root interference, biomats, or other conditions), and if the issue cannot be rectified through repairs and maintenance, the reserve system would be utilized as a fail-safe mechanism. The sanitary wastewater has additional filled land designated as its reserve system, and the process wastewater has a reclaimed wastewater and drip irrigation systems designated as its reserve system.

The State of California and the County of Sonoma allow the treatment and disposal of sanitary wastewater in a conventional filled land subsurface leach field system as is proposed for the Belden Barns Winery and Farmstead project. Soil percolation testing was completed for a previous development proposal on the property, which found the soil percolation rate to be 2 inches/hour. The existing filled land trenches are 24 inches wide and 36 inches deep (after 12-inches of fill material was placed), so they are 24-inches into native grade. There

are 12-inches of rock under the pipe. After a combination of anaerobic and aerobic treatment in the leach lines and adjacent trench soil, the treated wastewater percolates through the soil for final polishing. Ultimately, the treated effluent migrates into the groundwater minus the volume consumed via evapotranspiration. ~~Process wastewater would be pretreated through filters and settling/septic tanks and then disposed of in a filled-land standard leachfield system. Additional information on the design septic system design is provided in Chapter 2, Project Description.~~

The filled land system would be the project's method of wastewater disposal; however, there would also be a The reserve system, which would be used in the event the primary system is abandoned. For process wastewater, it would be consist of an AdvanTex treatment system with drip irrigation of reclaimed wastewater on designated blocks of the vineyard. The reserve process wastewater disposal system would include initial treatment by aeration in the septic tanks and then by a commercial grade AdvanTex AX-100 textile pods manufactured by Orenco Systems, Inc. This unit provides both aeration and textile filtration that supports attached growth biological treatment. The AdvanTex AX-100 is rated for winery process wastewater and will produce effluent that is treated to the levels (BOD, TSS, DO, etc.) that the State of California requires for drip irrigation. During periods of rain or when saturated soil conditions exist, the irrigation system cannot operate. A proposed new 35,000 gallon storage tank would provide 20 days of storage for the peak day harvest day flow."

Steve Martin, Professional Engineer, with Steve Martin and Associates, Inc., who prepared the wastewater feasibility study referenced in the Draft EIR (added to the Final EIR as Appendix A-1), has done so based on their substantial experience with wastewater engineering for wineries throughout the North Bay and Central Coast, and with full understanding of the water quality issues unique to winery wastewater. It should be noted that there is no research laboratory proposed for the Belden Barns project; the wine laboratory will have a hand wash and glassware washing sink where workers will perform technical benchmark wine tasting, analysis of the wine, and administration duties. There will be no process wastewater generated in the wine lab, only sanitary wastewater generated from hand washing, wine glass, and utensil washing. In addition, floor plans for the dairy show that the floors are made out of earthen clay, therefore there would be no wash-down wastewater from the Dairy operation as part of the process wastewater stream. Additionally, a filled land standard system can accept wastewater 365 days per year, and thus septic tanks do not need to store all wastewater during the rainy season.

As part of the conditions of approval associated with the proposed project, the proposed design would be evaluated by the County Project Review Health Specialist and PRMD's Well and

Septic Section prior to receiving a building permit and vesting use permit. PRMD's Well and Septic Division shall ensure that all required septic system testing and design elements have been met. The Draft EIR discloses sufficient information to show the system meets setback and siting criteria, as shown in Table 3.7-8 on page 3.7-26. As indicated in the revised text above, the project applicant would remove pomice and whey from the wastewater stream.

The commenters concern regarding pollutants associated with the milking barn is addressed under Impact HYD-1, starting on page 3.7-21, which recognized the need for the Standard Urban Stormwater Mitigation Plan to include measures that address animal husbandry, including the milking barn (Draft EIR p. 3.7-25, 3rd par.). Mitigation Measure HYD-1 requires the Final SUSMP to address potential nutrient and pathogen sources associated livestock operations, such as the milking barn.

Treatment Processes (Prior to Land Disposal)

The conclusion of an adequate system is based on the project's wastewater feasibility study. The project's wastewater feasibility study has been added as an appendix to the Final EIR to provide further details of the project's proposed wastewater system, which includes continued use and expansion of a currently installed filled land leach line. The wastewater feasibility study (Appendix A-1) provides descriptions and diagrams of the proposed wastewater system, including detention times and sizing calculations for the septic/settling tanks, pre-treatment processes, background data regarding the combined leach field, and analysis of historical rainfall records to determine required storage volume for the reserve area. Figure 2-11 in the Draft EIR, provides the locations of existing and proposed leach lines, the process wastewater reserve area, and the settling tanks. The wastewater feasibility study acknowledges that the rainy season will prevent use of the reserve system for process water disposal during approximately 10 days/month (i.e., that fall within 48 hours before and after a storm), and therefore includes a new 35,000 gallon storage tank in the system design, which will provide 20 days of storage for the peak harvest day flow. It also indicates that the irrigation demand of the natural vegetation and the percolation of the on-site soils exceed the estimated annual process wastewater volume for proposed wine and cheese production. Please refer to the aforementioned text edits to Draft EIR pg. 3.7-27.

It should be noted that limits on the BOD (biochemical oxygen demand) and TDS (total dissolved solids) of the effluent discussed by ReWater Systems are regulatory limits. Exceedances would prevent a WDR from being issued to the project proponent.

Suitability of Site Soils for Land Disposal

Exhibit B of Letter Q raises several concerns regarding the suitability of site soils to adequately infiltrate the treated wastewater. It should be noted that 1,179 linear feet of the filled land leach

line, designed to serve eight bedrooms, has already been approved and installed, with an additional 3,035 linear feet (for a total of 4,214 linear feet) designated as either reserve area or to support additional bedrooms. The vesting of both systems has since expired, and the filled land requirements have changed since then. However, with the addition of an NSF 40 approved pre-treatment filter, and minor modifications / expansion, the wastewater feasibility study found the existing filled land system(s) should be able to be upgraded to code compliant, and be re-utilized for the existing residential and new winery wastewater use. Please refer to the aforementioned text edits to Draft EIR on page 3.7-27.

Soil percolation testing was completed for the previous proposal, which found the soil percolation rate to be 2 inches/hour. The soils information cited by the commenter (including clay layers and vertical fractures filled with topsoil) is from test pits excavated for a different purpose (landslide investigation) and in a different location on the property. The percolation tests were performed in the location of the proposed leach lines. Please refer to the aforementioned text edits to Draft EIR on page 3.7-27.

As indicated in the Draft EIR on pages 3.7-27 and 3.7-28, the wastewater system meets setback requirements for streams, wells, and unstable landforms; and will be subject to waste discharge requirements, per North Coast RWQCB Order No. R1-2002-0012 (*General Waste Discharge Requirements (WDRs) for Discharges of Winery Waste to Land*). The system would also be reviewed by a County Health Specialist to ensure the system is consistent and compliant with County policies (e.g., PRMD Policies 9-7-17 and 9-2-31, and Chapter 24 of the County Code of Ordinances). As part of the required monitoring and reporting program, the owner is required to maintain records of septic system inspection, monitoring and maintenance activities.

Comment Letter A

From: Grundy, Earl@DOC [<mailto:Earl.Grundy@conservation.ca.gov>]
Sent: Monday, June 27, 2016 11:50 AM
To: Laura Peltz
Subject: Comment on DEIR SCH# 2015092031

Dear Mrs. Peltz,

The Department of Conservation finds the Draft Environmental Impact Report (DEIR) almost identical to the Notice of Preparation. The Departments comments and concerns noted at the NOP stage of the project were not addressed in the DEIR. We respectfully resubmit our original comment letter dated September 30, 2015 in the hopes that our comments and concerns will be addressed in the DEIR stage of the project. Please let me know if you have any problems viewing the attached .pdf.

A-1

Sincerely,

Earl Grundy
Environmental Planner
Department of Conservation
Division of Land Resource Protection
801 K Street, Sacramento, Ca 95814
(916) 324-7347

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State of California • Natural Resources Agency
Department of Conservation
Division of Land Resource Protection
801 K Street • MS 18-01
Sacramento, CA 95814
(916) 324-0850 • FAX (916) 327-3430

Edmund G. Brown Jr., Governor
John M. Lowrie, Assistant Director

September 30, 2015

VIA EMAIL: LAURA.PELTZ@SONOMA-COUNTY.ORG

Ms. Laura Peltz
2550 Ventura Avenue
Santa Rosa, Ca 95403

Dear Ms. Peltz:

BELDEN BARN FARMSTEAD AND WINERY PROJECT (PLP12-0016); NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT SCH #2015092031

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation of a Draft Environmental Impact Report submitted by the County of Sonoma (County). The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The proposed Belden Barns Farmstead and Winery is a new winemaking, hospitality and farmstead food production facility on a 55 acre parcel located at 5561 Sonoma Mountain Road. The farmstead products would include fresh and preserved vegetables/fruits, eggs, charcuterie and cheese. The production facility would be a new approximately 10,941 square foot, two story building. The first floor would be approximately 8,796 square feet and would be used for barrel storage, fermentation, winery production, the cheese creamery, and support spaces. The second floor would be approximately 2,145 square feet and would have administration, lab, and private tasting facilities. An existing barn would be demolished in order to construct the production building.

A tasting room would be the primary hospitality space for all products produced on site. This 3,033 square foot space would be located on the first floor of the owner's residence and would include a commercial kitchen. The project site would feature eight agricultural promotional events per year hosting approximately 995 people. The project would employ five full time and four part time employees for most of the year and an additional seven full time employees during the grape harvest season and bottling.

A new approximately 1,877 square foot employee unit would be constructed to replace an existing legal non-conforming 1,780 square foot building currently being used for farmworker housing, which would be demolished. Livestock and grazing would take place on approximately six acres of the project site. The numbers of livestock cited are: two milk cows, five milk sheep, chickens, and four pigs. The current primary residence would be converted to a family farm unit. The 55 acre project site is currently under a Williamson Act contract.

Ms. Peltz
September 30, 2015
Page 2 of 3

Department Comments

The Williamson Act enables local governments to enter into 10- and 20-year contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or compatible uses. California Government Code (GC) § 51230 enables local governments to enter into Williamson Act contracts, which have an initial term of 10 years. Williamson Act contracts are entered into between private landowners and the County. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual, farming, and open space uses, as opposed to potential market value.

The Department supports the activities of an agribusiness venture on land under a Williamson Act contract as long as marketing events support and promote the agriculture commodity being grown on the premises (such as wine tasting facilities); and the number of attendees does not abuse the Williamson Act's leniency in allowing Counties to determine the permanent or temporary human population of the agricultural area (GC § 51220.5). This section of Government Code was written to protect agricultural lands from uses that often hinder or impair agricultural operations and as such should not be taken lightly.

The proposed project will host 8 agricultural promotional events per year which will bring approximately 995 people onto the project site. The Department has a concern with the increase in population on the project site, and notes GC § 51220.5:

The Legislature finds and declares that agricultural operations are often hindered or impaired by uses which increase the density of the permanent or temporary human population of the agricultural area. For this reason, cities and counties shall determine the types of uses to be deemed "compatible uses" in a manner which recognizes that a permanent or temporary population increase often hinders or impairs agricultural operations.

The Department suggests that the Draft Environmental Impact Report address the County's rationale to support that this increased population would not violate Williamson Act statute (specifically §51220.5) and the Principles of Compatibility (§51238.1). The linkage between the two is important to ensure that activities which will clearly increase the population of the site are not violating the eligibility of the property to receive tax benefits for agricultural or compatible uses.

In addition, the scale of the structures proposed and the range of products to be processed appears large relative to the stated number of livestock and garden size. It is recommended that the staff report and/or environmental impact report for the project include an evaluation of the project's impacts to the agricultural productivity of the subject land, including how the project is consistent with the Williamson Act contract, any potential growth and/or loss of commercially viable agricultural land, cumulative effects, and mitigation measures for onsite and offsite impacts.

Should the County be unable to meet the statutory requirements for compatible use and satisfy the Legislature's intent, the Department suggests that the County consider partial non-renewal and cancellation for the areas in which the project will impact contracted land (GC § 51282). This action allows the proposed use to not conflict with existing law, and yet retains the protections and benefits for the remaining areas of contracted land.

A-2
A-3
A-4
A-5

Ms. Peltz
September 30, 2015
Page 3 of 3

Thank you for giving us the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report submitted by the County of Sonoma for the Belden Barns Farmstead and Winery Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

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A-6
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Sincerely,



Molly A. Penberth, Manager
Division of Land Resource Protection
Conservation Support Unit

Letter A

**Farl Grundy, Environmental Planner
California Department of Conservation
June 27, 2016**

- A-1** The comment states that the comments and concerns raised in the Department's letter provided in response to the Notice of Preparation were not addressed in the Draft EIR. Therefore, the Department has re-submitted their original comment letter dated September 30, 2015. Please see responses to comments A-2 through A-6 below.
- A-2** The comment notes that the Department has a concern with promotional events that will increase population on the project site and includes a reference to Government Code section 51220.5 that notes "cities and counties shall determine the types of uses to be deemed "compatible uses" ... recognizing "that a permanent or temporary population increase often hinders or impairs agricultural operations."

The County has Uniform Rules for Agricultural Preserves and Farmland Security Zones that take into account section 51220.5 and define "special event" as:

....a festival, concert, theatrical presentation, wedding, wedding reception, party, race, rally, rodeo, or other activity that attracts a large gathering of people, either as participants or spectators.

A "compatible use" is defined as:

...any use determined by the County pursuant to the Land Conservation Act and these uniform rules to be compatible with the primary agricultural or open space use of land within the preserve and subject to contract. Compatible use includes agricultural use, recreational use, or open space use unless the Board of Supervisors finds after notice and hearing that the use is not compatible with the agricultural or open space use to which the land is restricted by contract pursuant to the Land Conservation Act and these uniform rules (Sonoma County 2013).

Special events are listed as allowed compatible uses on contracted land in the County's Uniform Rules as follows:

1. Special events, when directly related to agricultural education or the promotion or sale of agricultural commodities and products produced on the contracted land, provided that:
 - a. The events last no longer than two consecutive days and do not provide overnight accommodations: and

- b. No permanent structure dedicated to the events is constructed or maintained on the contracted land.

Lastly, section 8.0, Compatible and Incompatible Uses in the County's Uniform Rules states that, "the County recognizes that it may be appropriate to allow other uses of contracted land that are compatible with the agricultural or open space uses on the land." Compatible uses must not occupy more than 5 acres or 15% of the contracted land, whichever is less, as stated in section 8.2 of the Uniform Rules."

8.2 Area limitation and exceptions.

- A. The compatible uses enumerated under this uniform rule may be allowed on contracted land if they collectively occupy no more than 15% of the contracted land as a whole, or 5 acres, whichever is less, excluding public roads, private access roads, and driveways.

The project is proposing compatible development of 1.9 acres (less than 3%), well within these limits. The commenter is further referred to Response A-3 below.

A-3 The state's Principles of Compatibility findings, required under the County's Uniform Rules is the compatible use threshold of 5 acres or 15% whichever is less, events not taking place in a building solely for events, and events to be limited in size, frequency, and hours to avoid conflicts with on-site or off site agricultural operations. The County's Uniform Rules state that compatible uses on any agricultural contracted land includes:

- Agricultural employee dwellings. Additional single-family dwellings, provided that each dwelling is occupied by a full-time agricultural employee or employees.
- Farmworker housing. Housing for seasonal and year-round farmworkers.
- Processing of agricultural commodities beyond the natural state, including processing by pressing, pasteurizing, slaughtering, cooking, freezing, dehydrating, and fermenting. This use includes facilities for processing and storage of agricultural commodities beyond the natural state such as wineries, dairies, slaughterhouses, and mills.
- Sale and marketing of agricultural commodities in their natural state or beyond, including winery tasting rooms, promotional activities, marketing accommodations, farmer's markets, stands for the sampling and sale of agricultural products, livestock auction or sale yards, and related signage.

- Wells, septic systems, and wastewater treatment ponds necessary for agricultural support uses (Sonoma County 2013).

The proposed project includes housing for up to six agricultural employees, a production facility that would be capable of producing cheese and wine, an on-site sanitary wastewater and process wastewater facility, and eight agricultural promotional events that would limit attendance to between 60 to 200 people. The larger events would take place between the months of March through October. Agricultural activities on the project site would include a two-acre vegetable garden along with a two-acre fruit orchard, two cows and five sheep for milking, chickens and four pigs.

The harvest season for the grapes is 8-10 weeks between late August through mid-October. For vegetable harvest season runs from early summer through the fall on a continual basis depending upon the vegetable. The regular production hours for the creamery and winery would be 7:00 a.m. to 6:00 p.m., Monday through Friday. Wine production harvest hours would be 6:00 a.m. to 10:00 p.m., seven days per week, during the harvest season, which is typically late August through mid-October. As shown in Chapter 2, Project Description, Table 2-1 on page 2-5, the larger events would take place between March through October, while the wine club members' events and tasting and dinner for distributors would take place throughout the year. Many of the events would take place later in the day, after 4 p.m. All events would end no later than 9:30 p.m. It is anticipated that the events would not interfere with daily harvesting that typically occurs during the early part of the day. The events will have no effect on agricultural production, other than facilitating the agricultural business. There is no basis to conclude that visitors will hinder or impair agricultural operations.

More specific details are provided in Section 3.1, Summary of Initial Study, starting on page 3.1-2 through 3.1-6. As stated on page 3.1-4, "[T]he County has found that events intended to promote and sell locally produced agricultural products are supportive of the long-term viability of agriculture in the County. Agricultural promotional events require a Use Permit and are limited by conditions to prevent conflicts with agricultural operations (Sonoma County 2013). Typical conditions include, but are not limited to:

- No concerts, festivals, or use of amplified sound outdoors are permitted.
- The project is limited to the following hours of operation:
 - Winery processing/administrative functions are seven days a week 7:00 a.m. to 6:00 p.m. during non-harvest times

- Winery processing/administrative functions are seven days a week 6:00 a.m. to 10:00 p.m. during harvest or as necessary due to weather conditions.
- Tasting room hours are by appointment only between 11:00 a.m. to 5:00 p.m., seven days a week.
- Agricultural Promotional events must end by 9:30 p.m. with all clean up completed by 10:00 p.m.
- The facility shall not be rented out to third parties for events.
- The days and hours for Agricultural Promotional events shall be subject to review and approval by an Events Coordinator or similar program established by the County or at the County's direction. The applicant shall submit to the County an annual request and schedule for Agricultural Promotional events for each calendar year including the maximum number of participants, times and dates, and to report the actual events from the previous year. The applicant shall contribute, on an annual basis, a fair share towards the cost of establishing and maintaining the program. The program should consider the fairness for long established uses and establish reasonable costs for managing the program.
- All events shall be coordinated with the Sonoma Mountain Zen Center so that events are not scheduled on the same dates.
- Two-Year Review. A review of event activities under this Use Permit shall be undertaken by the director two (2) years after commencement of the first event to determine compliance with the Conditions of Approval applicable to events. The director shall give notice of this Use Permit review to all owners of real property within three hundred feet (300) of the subject site plus any additional property owners who have previously requested notice. The director shall allow at least ten (10) days for comment. If the director determines that there is credible evidence of noncompliance with the Conditions of Approval applicable to events or that event activities constitute a public nuisance, the director shall refer the matter to the Board of Zoning Adjustments for possible revocation or modification of the Use Permit with regard to events. Any such revocation or modification shall be preceded by a public hearing noticed and heard in compliance with the Zoning Code. This Use Permit review shall not include any other non-event aspect of the original Use Permit approval, unless other Conditions of Approval have not been met, violations have occurred, or the use constitutes a public nuisance.
- Annual Report. After commencement of event activities, the owner/operator shall submit a report each year to PRMD [the Permit and Resource Management

Department] by January 15th describing the number of events that occurred during the previous year, the day, time, and duration of each event, the number of persons attending each event, the purpose of each event, and any other information required by the director. The annual report shall also include the proposed events for the coming year.

- Condition Compliance Fee. Prior to commencement of event activities, the owner/operator shall submit a Condition Compliance Review fee deposit sufficient to cover the review of event activities as described above.”

A-4 The comment raises a concern that the scale of the structures proposed and the range of products appears to be large relative to the livestock and garden and recommends that the project’s impacts on the agricultural productivity of the site be evaluated as well as the consistency with the Williamson Act contract, growth inducement, and cumulative effects.

As discussed in Chapter 2, Project Description, the 55-acre project site currently includes approximately 22 acres of wine grapes and a one-acre fruit orchard and a one-acre vegetable garden. The project would expand the orchard and vegetable garden to two acres each and would include up to two milk cows, five milk sheep, chickens, and four pigs. The animals would be grazed on approximately 6 acres, and housed in a 24 by 40-foot milking barn (960 sf). The milking barn would be used for milking and feeding livestock. The cows and sheep would provide approximately 30% to 35% of the milk for the creamery with the remaining 60% to 65% trucked in from offsite. The garden and orchard would provide fresh/preserved vegetables/fruits, when in season. The creamery and winery facility (production facility) would replace an existing barn and would include a 10,941-sf building that would include 8,796 sf for barrel storage, fermentation, winery production, the cheese creamery, and support spaces and 2,145 sf for office, lab, and a private tasting facility.

The change in the existing development footprint is addressed in Section 3.1, Summary of the Initial Study. The proposed project would add an additional 0.86 acre of developed area to the existing farm complex, including an additional 9,296 square feet (sf) of building space and associated driveways, located almost entirely in areas mapped as Farmland of Local Importance. Relative to the 55-acre project site, approximately 26 acres would be used for wine grapes, vegetables, and a fruit orchard, while 6 acres would be used for livestock grazing leaving 23 acres fallow and less than two acres in existing and proposed developed uses. The proposed project would add an additional 1.23 acre of developed area to the 0.67-acre existing farm complex area, totaling 1.9 acres of developed area. As stated in Section 3.1,

the “addition of approximately 0.86 acre of developed area to the project site would not constitute a loss of land devoted to agricultural production, as the primary use of the site would remain agricultural production.this amount of additional built space would comply with the Land Conservation Act (Williamson Act) contract in place for the project site.” More specifically, “the proposed project is consistent with the existing underlying agricultural zoning and the active Land Conservation Act contract. The project site is in the LIA (Land Intensive Agriculture) B6-40ac density/40 acre minimum zoning district, which allows agricultural processing and promotion with a Use Permit. Pursuant to the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones Rule 8.2A, the maximum area of the property that can be devoted to buildings is 15%, with a maximum of 5 acres, because the property is under a Prime Land Conservation Act contract (Sonoma County 2013). The 1.9-acre total development area would comprise less than 15% of the 55-acre site, well within this maximum, and would therefore comply with the Land Conservation Act contract, as discussed on page 3.1-3 of the Draft EIR. The applicant has prepared documentation of how they continue to maintain compliance with the Land Conservation Act.

- a. The parcel will continue to have a minimum of 25 acres planted in vineyards with several proposed additional agricultural uses, including grazing of dairy goats or cows, vegetable gardens, and an orchard.
- b. A minimum income level of \$1,000 per acre per year will be maintained.
- c. Other uses will be Compatible and all dwellings will be occupied by the owner or people occupied in the agricultural uses.

The new Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones (adopted in 2011 and amended in 2013) include provisions for determining whether a use is compatible. The following rules are the most relevant:

- Uniform Rule 11.1 requires that prior to issuance of any permit for development or use of contracted land (other than qualifying agricultural or open space uses), PRMD must determine that the proposed development or use complies with the contract and the uniform rules.
- Uniform Rule 8.0 - Compatible and Incompatible Uses, requires contracted land to be devoted to agricultural or open space uses. However, the County recognizes that it may be appropriate to allow other uses of contracted land that are compatible with the agricultural or open space uses on the land and the following two categories apply to this project:

- 8.3 Compatible Uses - Agricultural Contracted Land: Category B.2. Agricultural Support Services: Sale and marketing of agricultural commodities in their natural state or beyond, including winery tasting rooms, promotional activities, marketing accommodations, farmer's markets, stands for the sampling and sale of agricultural products, livestock auction or sale yards, and related signage.
- 8.3 Compatible Uses - Agricultural Contracted Land: Category G.1. Miscellaneous:

Special events, when directly related to agricultural education or the promotion or sale of agricultural commodities and products produced on the contracted land, provided that:

- a. The events last no longer than two consecutive days and do not provide overnight accommodations; and
- b. No permanent structure dedicated to the events is constructed or maintained on the contracted land.

Additional agricultural uses will be undertaken with the proposed project, including using approximately 10 to 15-acres for grazing of cattle or goats for milk for the cheese operation, approximately one and a half acres for a vegetable garden and orchard. The winery and cheese production are clearly compatible uses under Rule 8.3, Category B.2. and the promotional events and uses proposed fall under Rule 8.3, Category G.1.

The County has found that agricultural promotional events are a compatible use for agricultural land under Land Conservation Act Contracts because they are a marketing tool to insure the long term viability of wine sales or other agricultural products produced on site. Events which promote agricultural products grown or produced on site are usually similar to those produced or grown elsewhere in the County thus agricultural promotional events at one site tend to promote the long-term viability of agriculture within the county. In these cases, agricultural promotional events require a Use Permit and are limited by conditions to prevent conflicts with agricultural operations. Because the events are limited by conditions, the temporary increase in population does not hinder the operations and is considered supportive of agriculture.

Agricultural Promotional events generally would not compromise agricultural capability because they are marketing tools to help sell wine, cheese, or other agricultural products produced on site which provides for the long term viability of the farm or ranch. The proposed Agricultural Promotional events would not affect agricultural capability or other surrounding contracted lands except in positive

ways because Agricultural Promotional events help promote local agricultural products which enables the purchase of grapes, milk, vegetables, etc. from other growers, further promoting the local agricultural industry.

Other impacts associated with the project, including growth inducement and cumulative impacts are addressed in the Draft EIR in sections 3.2 through 3.9 and Chapter 4, Other CEQA Considerations.

- A-5** The comment indicates that if the County is not able to meet the statutory requirements for a compatible use, that the County consider partial non-renewal and cancellation for the areas impacted by the project. As noted above in Response to Comment 1-4, the project meets the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones, and the project is a compatible use with the Land Conservation Act (Williamson Act) contract.
- A-6** The County appreciates the Department's interest in conservation, and will provide a notice to the Department of Conservation for future Board of Supervisor's hearings on the project.

Comment Letter B



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
700 Heinz Avenue
Berkeley, California 94710-2721



Edmund G. Brown Jr.
Governor

July 25, 2016

Ms. Crystal Acker
Senior Environmental Specialist
Sonoma County Permit and Resource Management Department
2550 Ventura Avenue
Santa Rosa, California 95403
Crystal.Acker@sonoma-county.org

DRAFT ENVIRONMENTAL IMPACT REPORT FOR BELDEN BARN FARMSTEAD
AND WINERY PROJECT, SCH NO. 2015092031, 5561 SONOMA MOUNTAIN ROAD,
SONOMA COUNTY, CALIFORNIA

Dear Ms. Acker:

Thank you for the opportunity to comment on the *Draft Environmental Impact Report for the Belden Barns Farmstead and Winery Project*, State Clearinghouse No. 2015092031, dated June 2016 (Draft EIR). The California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project pursuant to the California Environmental Quality Act (CEQA) adequately addresses any required cleanup activities to address any hazardous substances release at the project site.

The 55-acre project site is located at 5561 Sonoma Mountain Road in southeastern Sonoma County with Assessor's Parcel Number 049-030-010. The site is currently developed with an agricultural complex typical of the early 20th century, and includes three dwellings, a barn, a guest house and an agricultural building. It is planted with approximately 22 acres of wine grapes, and approximately six acres of pasture, fruit orchard and a vegetable plot.

The proposed project at the site includes a new cheese making, wine making and farmstead food production facility, and a tasting room. Construction of the proposed project includes: improvement of infrastructures and utilities with expansion of the domestic water system, a new sanitary wastewater system, and improvement of the

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Ms. Crystal Acker
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drainage system; demolition of three existing structures; construction of new buildings; expansion of the vegetable garden and fruit orchard; and livestock grazing.

The Draft EIR does not include a thorough description of the project site's historical uses and the potential soil contamination from the agricultural uses of the site. Without this information, DTSC is unable to determine whether hazardous substances may have been released into the soil at the project site. DTSC recommends that a historical assessment of past uses in the project site be conducted. Based on that information, sampling may need to be conducted to determine whether there is an issue which will need to be addressed in the CEQA compliance document. If hazardous substances have been released, they will need to be addressed as part of this project.

B-1

The project activities include demolition of structures on the project site. These structures may have been constructed before 1978 when lead-based paint was banned for residential use. Therefore, there is a potential of soil contamination from lead-based paint. The Draft EIR did not address the impact and mitigation measures for potential lead contamination in soil around the structures from lead-based paint. The mitigation measures should include soil sampling around the structures where lead-based paint might have been released in the surrounding soil.

B-2

If lead or other chemical contamination from agricultural uses is present in soil at the, it will need to be addressed as part of this project. For example, if the cleanup activities include the need for soil excavation, the CEQA document should include: (1) assessment of air impacts and health impacts associated with the excavation and disposal activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) assessment of transportation impacts from the soil removal activities; and (4) assessment of risk of upset should there be an accident at the site.

B-3

In the event that lead or other chemical contamination is found at the project site, the contamination must be characterized and cleaned up under a regulatory oversight. The following paragraphs explain the process that should be followed to seek regulatory agency oversight for the: preparation of a Soil Management Plan; characterization and disposal or reuse of contaminated soil; and additional soil sampling to confirm cleanup of the project site to unrestricted land use or residential standards.

B-4

On March 1, 2005, DTSC, the State Water Resources Control Board (State Board), and the Regional Water Quality Control Boards (Regional Boards) signed a Memorandum of Agreement (MOA) aimed to avoid duplication of efforts and improve coordination among the agencies in their regulatory oversight of investigation and cleanup activities at brownfield sites. Brownfield sites are generally those that are contaminated and potentially contaminated where some type of development or redevelopment is planned.

Ms. Crystal Acker
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Page 3 of 3

Under the MOA, anyone requesting oversight from DTSC or a Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographical area. The Brownfields Coordinators in those agencies will contact the other agency or reply with the name and contact information for the selected oversight agency. Enclosed is the Request for Regulatory Oversight Application and site information form.

If you have any questions or comments, please contact me at (510) 540-3840 or remedios.sunga@dtsc.ca.gov.

Sincerely,



Remedios V. Sunga
Project Manager
Brownfields and Environmental Restoration Program

Enclosure

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

CEQA Tracking Center
Department of Toxic Substances Control
PO Box 806
Sacramento, California 95812-0806

↑
B-4
Cont.

State of California – California Environmental Protection Agency




Request for Agency Oversight Application

The purpose of this application is to provide the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (Water Board) sufficient information to determine which agency will be the appropriate lead agency to provide oversight for the assessment and/or remediation of this Brownfield site. The detailed site information requested in this application will also help the appropriate lead agency to expedite the development of a cost recovery agreement, so that the applicant can begin work in a timely and efficient manner.

For a California Land Reuse and Revitalization Act (CLRRA) Agreement or a Prospective Purchaser Agreement, please complete the appropriate Supplemental Attachment since additional information is required for these programs.

SECTION 1
APPLICANT/PRIMARY CONTACT INFORMATION

The Applicant (i.e., individual, business entity, or organization) requesting oversight must possess all necessary rights and access to the site so that it can carry out any and all activities that the oversight agency may require in making its regulatory decisions.

Applicant Name:

Applicant Point of Contact Name:

E-mail Address:

Phone: () -

Address, City, County & Zip Code:

Applicant's relationship to site: Current Owner Operator
 Local Agency Prospective Purchaser Developer
 Other (please describe):

Current Owner (if different from Applicant):

Owner Point of Contact Name:

E-mail Address:

Phone: () -

Address, City, County & Zip Code:

Consulting Firm Name:

Consultant Point of Contact Name:

E-mail Address:

Phone: () -

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Request for Agency Oversight Application

Address, City, County & Zip Code:

Primary Point of Contact for this Site: Applicant Contact or Consultant Contact or Owner Contact

Billable Party Information:

Billing Point of Contact Name:

E-mail Address:

Phone: () -

Address, City, County & Zip Code:

Tax ID Number (applicable only to business entities and organizations; please do not provide individual social security numbers):

SECTION 2
SITE INFORMATION

If applicable, the applicant may reference information from an attached Phase 1 Environmental Assessment or other site investigation reports available for the Site.

1. Is this Site listed on Envirostor? Yes No and/or Geotracker? Yes No
2. Name of Site:
3. Address City County ZIP:
4. APN(s): Acres: Zoning:
5. Provide a Site Location Map and a Site Diagram showing significant features
6. Describe the current use of the Site and include description of features:
7. Describe the surrounding land use (including proximity to residential housing, schools, churches, etc.):
8. Background: Current & Previous Business Operations
Name:
Type:
Years of Operation:

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Request for Agency Oversight Application



9. If known, list all previous businesses operating on this Site:
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
10. What hazardous substances, pollutants, or contaminants have been or are being used/stored at the Site?
11. What environmental media is/was/may be contaminated (check all that apply)?
 Soil Air Groundwater Surface Water Unknown
12. Has sampling been conducted? Yes No If yes, then identify the contaminants detected, including the maximum concentrations, and contaminants that exceeded screening levels (e.g., Preliminary Remediation Goals or California Human Health Screening Levels).
13. Is there currently a potential of exposure of the community or workers to hazardous substances, pollutants, or contaminants at the Site?
 Yes No If yes, then explain.
14. Provide a brief summary of removal or remedial activities that have been undertaken or completed at the Site, if any.
15. Provide a description of known or possible water quality impacts at the Site. Also, provide information about the type(s) of water supply for the Site and, if known, any information on municipal, domestic, agricultural or industrial water supply wells that are either on the Site or within a 1-mile radius of the project area.
16. Are any Federal, State or Local regulatory agencies currently involved with the Site? Yes No If yes, describe the regulatory agencies' involvement with the Site, and provide the regulatory agencies' contact names and telephone numbers below.

Agency Involvement Contact Name Phone

Agency	Involvement	Contact Name	Phone Number
			() -
			() -
			() -
17. What is the proposed future use of the Site?
18. If the Site is not cleaned-up to unrestricted standards, will the owner accept land use restrictions?

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Request for Agency Oversight Application



19. What oversight service is being requested of the Lead Agency (check all that apply)?

Initial Investigation/Preliminary Endangerment Assessment

Supplemental Investigation

Remedial Investigation/Feasibility Study

Removal Action/Remedial Action

Case Closure

Document Review

Other: _____

20. Provide a general description of the nature of the proposed redevelopment, including a general timeline for construction:

21. Provide information about the potential benefits of the proposed redevelopment, if available:

Anticipated number of jobs created/retained: _____

Anticipated number of proposed residential units: _____

Anticipated square footage of planned commercial space: _____

Anticipated square footage of planned open space: _____

Anticipated acres made ready for re-use by proposed Site cleanup: _____

22. Provide information on the environmental documents produced for the Site to date. Note that copies may be requested by the designated Lead Agency.

Preliminary Endangerment Assessment, dated _____

Phase 1 Environmental Assessment, dated _____

Phase 2 Environmental Assessment, dated _____

Health Risk Assessment, dated _____

Other, describe and provide date _____

Other, describe and provide date _____

Other, describe and provide date _____

SECTION 3
COMMUNITY PROFILE INFORMATION

1. What are the demographics of the community (e.g., socioeconomic level, ethnic composition, specific language considerations, etc.)?

2. **Local Interest:** Has there been any media coverage?

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Request for Agency Oversight Application



3. **Past Public Involvement:** Has there been any past public interest in the Site as reflected by community meetings, ad hoc committees, workshops, fact sheets, newsletters, etc.?
4. **Key Issues and Concerns:** Have any specific concerns/issues been raised by the community regarding past operations or present activities at the Site?
5. Are there any concerns/issues anticipated regarding Site activities?
6. Are there any general environmental concerns/issues in the community relative to neighboring sites?
7. Describe the visibility of activities and any known interest the Site:

**SECTION 4
CERTIFICATION**

The signatory below is an authorized representative of the Applicant and certifies to the best of his/her knowledge and belief that the information contained in this application, including any attachments, is true and complete and accurately describes the Applicant, the Site, and related conditions. The Applicant agrees to promptly inform the agency of any changes that occur in the information contained in this application.

The Applicant agrees to reimburse the lead agency (the Department of Toxic Substances Control or the Regional Water Quality Control Board) for the lead agency's costs in preparing and negotiating the appropriate cost recovery agreement, regardless of whether the agreement is subsequently executed by the Applicant and the lead agency, and, in the event the cost recovery agreement is executed by the parties, for oversight of the activities identified in the Scope of Work of the selected Agreement.

Applicant Representative

Date

Title

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**Request for Agency Oversight of a Brownfield Site
Supplemental Attachment: California Land Reuse and Revitalization Act (CLRRRA)
Application**



Please complete this form ONLY if you are an eligible entity applying for a California Land Reuse and Revitalization Act (CLRRRA) Agreement

Definitions of terms used in the CLRRRA Application can be found in Article 2 "Definitions," and Article 6, "Streamlined Site Investigation and Response Plan Agreements," Chapter 6.82, Division 20 of the Health and Safety Code (commencing with section 25395.60).

1. Are you applying as a/an:
 - Bona fide purchaser (BFP)
 - Contiguous property owner (CPO)
 - Innocent landowner (ILO)
 - Prospective purchaser (PP)
 - Bona ground tenant (BGT)

2. Is the Site located outside an infill area in an urban area?
Yes No

3. Is the Site solely impacted by petroleum from an underground storage tank and eligible for reimbursement from the Underground Storage Tank Cleanup Fund?
Yes No

If you answered YES to either question 2 or 3, contact a DTSC Brownfield Coordinator to discuss Site-specific details.

4. Current zoning and planned use of the Site:

5. Do you own the Site? Yes No

6. Did (will, in the case of a PP) the owner conduct due diligence or All Appropriate Inquiry (AAI) prior to acquiring Site? Yes No

Date AAI was conducted (will be conducted, in the case of a PP) _____

7. Did the owner take reasonable steps with regard to contamination at the Site including, as appropriate; stopping continuing releases, preventing threatened releases, and preventing or limiting human, environmental or natural resource exposure to earlier hazardous substance releases? Yes No

8. Date the Site was/will be purchased and title was/will be transferred _____

See attached Addendum for definitions of CLRRRA terms used in this Supplemental Attachment.

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**Request for Agency Oversight of a Brownfield Site
Supplemental Attachment: California Land Reuse and Revitalization Act (CLRRRA)
Application**

Applicant's Disclosure Statement:

In submitting this application, I verify that, to the best of my knowledge, I can meet the requirements for a Bona Fide Purchaser, Contiguous Property Owner Innocent Landowner, Prospective Purchase or Bona Fide Ground Tenant set forth in Division 20, Chapter 6.82 (commencing with section 25395.60) of the Health and Safety Code and, upon request by the oversight agency, will submit documentation that I meet each of the following conditions in accordance with Health and Safety Code section 25395.80:

On or before the date of property acquisition, I made "All Appropriate Inquiries" into the previous ownership and uses of the site; and

I am not potentially liable or affiliated with any other person who is potentially liable through any direct or indirect familial relationship, or through any contractual, corporate, or financial relationship unless that relationship was created by the instrument by which title or possession to the site was conveyed or financed or was a contract for the sale of goods or services, or through the result of a reorganization of a business entity that was potentially liable for the release or threatened release of hazardous materials at the site.

The Applicant agrees to reimburse the lead agency (the Department of Toxic Substances Control or the Regional Water Quality Control Board) for the lead agency's costs in preparing and negotiating the CLRRRA Agreement, regardless of whether the agreement is subsequently executed by the Applicant and the lead agency, and, in the event a CLRRRA Agreement is executed by the parties, for oversight of the activities identified in the agreement.

The signatory below is an authorized representative of the Applicant and certifies to the best of his/her knowledge and belief that the information contained in this application, including any attachments, is true and complete and accurately describes the Applicant, the Property, and related conditions. The Applicant agrees to promptly inform the lead agency of any changes that occur in the information contained in this application.

Signature of Applicant:

Date:

Name & Title:

Address:

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State of California – California Environmental Protection Agency



**Request for Agency Oversight of a Brownfield Site
Supplemental Attachment: Prospective Purchaser Agreement**



Please complete this form ONLY if you are an eligible entity applying for a Prospective Purchaser Agreement with DTSC

1. Is the current owner aware of your plans to seek a Prospective Purchaser Agreement with DTSC?
Yes No
 - a) If "yes," then when do you expect to take title to the Site?
 - b) If "no," then what is your proposed interest in the Site and what vehicle will be used to consummate the transaction?
2. Please describe if known, the timing of the proposed property transaction in sufficient detail to give DTSC a sense of your needs and timetable.
3. Attach a copy of the Site map, legal boundary description and Title Report.
4. Describe the "substantial benefit" to the State of California that will result if your proposal is implemented. For example, describe the changes expected in the local and state tax base or other benefits to the community and surrounding neighborhood which could occur as a result of the Site redevelopment.
5. Describe the financing to be used to complete remediation prior to the development of the Site.
6. Briefly describe, in general terms, the removal or remedial activities to be performed in the future.
7. Attach a list of names and addresses of potentially responsible parties, and describe all efforts to identify the potentially responsible parties.

Note: If remediation is occurring during and after construction, such as for groundwater treatment or soil vapor extraction, a separate Operation and Maintenance Agreement must be executed to ensure that remedial activities occur until remedial goals are met.

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State of California – California Environmental Protection Agency

 **Request for Agency Oversight of a Brownfield Site** 
Supplemental Attachment: Prospective Purchaser Agreement

Applicant's Disclosure Statement:

In submitting this application, I verify under penalty of perjury that, to the best of my knowledge, the Applicant is not a responsible party or affiliated with a responsible party for this site.

The Applicant agrees to reimburse the lead agency for its costs in preparing and negotiating the Prospective Purchaser Agreement, regardless of whether the agreement is subsequently executed by the Applicant and the lead agency, and, in the event a Prospective Purchaser Agreement is executed by the parties, for oversight of the activities identified in the agreement.

The signatory below is an authorized representative of the Applicant and certifies to the best of his/her knowledge and belief that the information contained in this application, including any attachments, is true and complete and accurately describes the Applicant, the Property, and related conditions. The Applicant agrees to promptly inform DTSC of any changes that occur in the information contained in this application.

Signature of Applicant:

Date:

Name & Title:

DTSC Form 1460- Revision September 2013

Letter B

**Remedios V. Sunga, Project Manager Brownfields and
Environmental Restoration Program
Department of Toxic Substances Control
July 25, 2016**

- B-1** The comment states that the Draft EIR does not include a thorough description of the project site's past agricultural uses and potential soil contamination. There is no expectation of contamination. There are no known underground storage tanks on the site and the site is not on the State's Cortese list. The parcel has been farmed since the mid 1800s with orchards and vineyards predominating. The site has been operated under a sustainable protocol with limited pesticides for the past 15 years, and was certified Sustainable in 2016 by the Sonoma County Winegrowers under the California Sustainable Winegrowing Alliance (CSWA) program. The farmed area has been in grape production since approximately 1973. Generally, wine grapes require fewer pesticides than other crops. Grape growers primarily use fungicides to prevent powdery mildew and then weed control either with herbicides or mechanically. Sulfur is one of the main fungicides used and is approved for organic production. Growers sometimes spray for leafhoppers or mites. Virtually all persistent pesticides were outlawed in the 1970s, and were replaced with non-persistent pesticides. Further, the area to be disturbed with construction was not historically under agricultural cultivation. The County generally does not require soil testing for historic agricultural use. The proposed expansion of the vegetable garden and orchard would be a continuation of the existing use as would the addition of livestock to the site. The new production facility and tasting room would provide facilities for the public to visit, but visitors to the site would only stay for a short time. County staff does not believe further testing, such as a Phase 1 Environmental Site Assessment, is warranted in the absence of any indication of contamination.
- B-2** The comment questions if a lead survey was done for the buildings slated for removal to check for the presence of lead based paint. Structures built prior to 1978 may include lead paint. The County's Residential Construction Manual requires a lead and asbestos report be provided prior to receiving a permit to demolish any buildings (County of Sonoma 2011).
- B-3** The comment notes that any required cleanup activities must be addressed in the Draft EIR, specifically as it pertains to air quality, conformity with local standards, increase in truck trips, and an assessment of risk of upset should there be an accident at the site. Please see Response to Comment B-1.

- B-4** The comment notes that if any contamination is found on the project site it must be removed consistent with requirements established by the State Water Resources Control Board and the Regional Water Quality Control Boards relative to brownfield sites and includes an overview of the process. If any on-site cleanup is required it would be done consistent with existing State and local regulations and requirements.

Comment Letter C



7/19/16

RE: Beldon Barns Draft EIR Deficiencies

In a democracy, private enterprise rests on the foundation of public infrastructure – public roads represent significant taxpayer costs, and the County has an obligation to public safety. The Draft EIR barely meets minimal EIR standards – granted there are paragraphs inserted under all the correct headings, yet that does not mean the Draft EIRs findings are right in terms of impacts.

The Draft EIR is deficient in evaluating the whole of the project, addressing the growth inducing impact, addressing road safety risks, adequate emergency services access or substantiating "findings" from noise, air quality and greenhouse gas studies to support permitting sales and promotional activities on a significantly substandard road in a remote location.

C-1

And, the Draft EIR fails in terms of meeting the requirements of the Williamson Act or the mandatory finding of significance – there is not substantive evidence that the mitigations, as defined, will meet the legal requirement that the: "... Project will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood."

C-2

The project's objectives are defined only to maximize the income potential of the project property transferring the impacts to adjacent property owners and the public. **In fact, the "off-site tasting room alternative" DOES meet all the objectives, as it provides for Direct to Consumer sales and a venue for events – just in a far superior environmental setting than the project site.** GPS will sent Bay Area visitors through Glenn Ellen and eastward on Sonoma Mountain Road.

C-3

An Alternative Analysis that meets the requirements of CEQA must address broader public and environmental objectives; with meaningful Alternatives designed to substantially reduce or eliminate impacts. At issue is granting any visitor-serving uses, sales or promotional activities on a parcel with an access road that has a significant number of substandard road segments. Thus, the Draft EIR is deficient in that it breaks visitor-serving uses into two sub-alternatives (off-site tasting room and no events) which piecemeals the analysis, and does not address the road safety and joint road use conflict issues.

C-4

Section 3.9 Transportation and Figure 3.9.4 clearly define the sub-standard road widths, compounded by blind curves 39 areas with site distance challenges, and other road hazards that eliminate this parcel from permitting for any alcohol-related promotional and sales activities and events.

C-5

Both the tasting room and event alternatives should be denied on this site. The "agriculture" justification is contrived: The public can "connect and experience" sustainable farming and artisanal food in far more suitable locations, and need NOT be served alcohol to appreciate the growing of crops.

C-6

Judith Olney, Co-Chair Preserve Rural Sonoma County / Cc: Supervisors

Specific Deficiencies and Additional Analysis and Evidence to support Findings Needed

Project Definition Incomplete - all uses not specified: The proposed 15,000+ square footage of buildings is totally out of scale with the needs of a micro-winery, cheese operation and farm stand needs, and represent the intent for large scale commercial activity. C-7

- Please provide evidence that the project, as defined, can be an "economically self sufficient business." The capital costs of the buildings alone undermine this objective, and proposed revenue streams will unlikely cover on-going operations and maintenance costs, even at the low Williamson Act tax rates. C-8
- Further define the requirements and proposed uses in the 3,000+ square foot hospitality building and clarify that the 2nd story is not for accommodations. C-9
- Define the intent of the objective for "food artisans to develop demand for their products" – commercial rental of space is not allowed on Ag lands or under the Williamson Act. C-10

Table ES-1: Table Incomplete: The summary of potential environmental impacts/ mitigation measures merely recite common Use Permit conditions for construction and production only, and does not specify mitigations for the impacts associated with public access for visitor-serving uses, sales and promotional events. Substantial evidence is needed that prove that these very real impacts are mitigated, with conditions that are measurable and effective. C-11

Section 3.9: Transportation Environmental Setting and Figure 3.9.4 makes the case that this is an INAPPROPRIATE location for uses requiring public access, especially any alcohol related promotional and sales activities. There are 39 challenging curves with limited sight distance on Sonoma Mountain Road, with site distance issues near the project site. C-12

- CEQA does not acknowledge mitigation measures that cannot be implemented: Requesting vehicles to approach from Santa Rosa is not an enforceable mitigation measure, especially given Benzinger winery is to the East and the presence of another commercial tasting venue will incent people to continue traveling eastward on the dangerous Sonoma Mountain Road. C-13
 - o And, as most visitors will be approaching from the Bay Area, GPS guidance (Google Maps or WAZE) will direct visitors to Glenn Ellen, approaching the project along the very dangerous portion of road to the east.

- Page 3.9-24 asserts that the project will only increase traffic by 6% and therefore the one project is not a problem; however, just like with noise, when the ambient measurement is low, even relatively modest increases in either noise or traffic significantly change the character of a remote location. C-14

- o The DEIR is deficient in that there is no cumulative impact assessment or growth inducing impact assessment. However, if one winery can increase traffic by 6 percent, then a few more will have a rather significant increase in traffic. C-15

- **Emergency Service Findings inadequate:** Assess access constraints along Sonoma Mountain Road, not just the width of the driveway entrance. Page 3.9 -28 "finding" that there is adequate room for emergency vehicles **only considers the width of the driveway entrance** and not the County road leading to the site, which Section 3.9 documents is only 11 feet wide in some places with no shoulder. C-16

- o Additional traffic, consuming alcohol on this road, will increase the demand for emergency services – and road sections with widths less than 20 feet will not allow an emergency service vehicle to pass on-coming traffic, and driver’s inability to back their vehicles up steep roads with no shoulder will significantly delay response. C-17
- o Proposed Vegetation Removal for driveway site distances needs to be reviewed in Aesthetics – as removal will have an impact on rural character as well as biologic. C-18
- Section 4.5 Growth inducing impacts. A precedent of approving visitor-serving uses with inadequate road access will have significant growth inducing impacts, bringing other inappropriate parcels into play. There was no analysis as to how this siting of this project would not attract more economic activity – in the form of more Use Permitted uses to this area or on parcels through out the county. C-19

Table 5-1 Summary Matrix for Alternatives presents “findings” that are not substantiated by fact, analysis or conclusions in the respective impact area analysis section.

- Please cite or complete analyses to support the counter-intuitive claims that the off-site tasting room would have greater air quality and greenhouse gas impacts than the proposed project. Or, Page 5.12 which states that air quality impacts would be the same whether the visitors are going to the proposed tasting room in a remote location along a steep road or to a tasting room in Rohnert Park. These findings fail to consider the extra mileage and grade of the road necessary to access the proposed tasting room and event center on Sonoma Mountain. C-20
- Page 3.6 repeats this unsubstantiated claim that the tasting room on-site will generate fewer trips. The truck trips to deliver agricultural products to the tasting room would be significantly less than visitor traffic as just a few truck trips will carry much more product than retail consumers would carry in individual purchases. And the truck trips will be off-set by the reduction in tasting-room and event related truck trips for supplies, etc. C-21
- GHG Reductions. As stated on Page 5.6 moving the tasting room off-site would reduce round trips for 4 employees and as many as 34 visitors per day (48 during crush) – 15-20 vehicles per day driving up and down Sonoma Mountain Road. And, as the project would be the only commercial use with public access, these vehicles are new destination trips. Again, provide analyses that show reduced visitor-related trip impacts would be completely off set by the truck trip necessary to take product to the off-site tasting room. C-22
- Likewise, the four employees and event staff, if working in Rohnert Park have the option to take public transportation to work further reducing GHG and improving air quality. C-23

PO Box 983 Sebastopol CA 95473

preserveruralsonomacounty@gmail.com

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Letter C

**Judith Olney, Co-chair
Preserve Rural Sonoma County
July 19, 2016**

- C-1** The comment states that the Draft EIR is deficient in evaluating the complete project including growth inducement, road safety risks, emergency service access as well as substantiating findings from the noise, air quality, and greenhouse gas analyses that support the proposed project.

Potential impacts associated with growth inducing aspects of the project are addressed in Chapter 4, Other CEQA Considerations, starting on page 4-3. As noted in this chapter, “[A]ll proposed utility infrastructure improvements would be located on site and sized to adequately serve the existing residences and vineyards and the proposed project uses with limited future growth potential. The project is expected to directly induce limited growth by building one agricultural employee housing unit for employees on site. The additional part-time employees and temporary harvest season employees are expected to be local workers. The few part-time and seasonal jobs generated by the proposed project are not expected to substantially induce growth in the region.” The project was determined to not be growth inducing. Regarding road safety and access for emergency services, please see Master Response TRAFF-1.

To assess air emissions associated with project construction and future project operation the CalEEMod model was used to quantify emissions of criteria pollutants that include oxides of nitrogen (NO_x), reactive organic gases (ROG), particulate matter (PM), carbon monoxide (CO) compared to the acceptable levels established by the Bay Area Air Quality Management District thresholds (see Table 3.3-4 on page 3.3-16). This analysis, included in Section 3.3 of the Draft EIR provides the basis to determine if the project results in a significant impact. This is the typical approach and would be considered the industry standard to evaluate air pollutants generated by a project. The same is true for greenhouse gas emissions, which are quantified and evaluated in Section 3.6 of the Draft EIR and Noise, evaluated in Section 3.8 of the Draft EIR. The Draft EIR adequately identifies and addresses project impacts and the findings are based on substantial evidence.

- C-2** The comment states that the project fails to meet the Williamson Act requirements and the mandatory findings of significance, and does not provide substantial evidence that the mitigation measures would be legally adequate.

The project's consistency with the Land Conservation Act (Williamson Act) is addressed in Section 3.1, Summary of Initial Study, starting on page 3.1-2. As stated on page 3.1-2, "the proposed project is consistent with the existing underlying agricultural zoning and the active Land Conservation Act contract. The project site is in the LIA (Land Intensive Agriculture) B6-40ac density/40 acre minimum zoning district, which allows agricultural processing and promotion with a Use Permit. Pursuant to the Sonoma County Uniform Rules for Agricultural Preserves and Farmland Security Zones Rule 8.2A, the maximum area of the property that can be devoted to buildings is 15%, with a maximum of 5 acres, because the property is under a Prime Land Conservation Act contract (Sonoma County 2013). The 1.9-acre total development area would comprise less than 15% of a 55-acre site, well within this maximum, and would therefore comply with the Land Conservation Act contract." Regarding the comment that the project does not meet the mandatory findings of significance it is unclear what the commenter is referencing.

The mitigation measures included in the Draft EIR meet the requirements set forth in Section 15126.4 of the CEQA Guidelines that specify mitigation measures should be feasible, fully enforceable, and "roughly proportional" to the impacts of the project. It is not clear what legal requirement the commenter is referring to in the comment.

C-3 The comment states an opinion that the Off-Site Tasting Room alternative does meet all of the project objectives and it offers a far superior environmental setting to provide for direct to consumer sales and a venue for events. This comment does not address the adequacy of the Draft EIR; consequently no response is required. However, the commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

C-4 The comment claims that the Draft EIR is deficient because the alternative analysis breaks visitor serving uses into two sub-alternatives (off-site tasting room and no events) which piece meals the analysis and does not address the safety and joint road use conflict issues.

The Draft EIR addresses safety and traffic issues along Sonoma Mountain Road from all the proposed uses including events and onsite tastings. More information about safety and traffic concerns is provided in Master Response TRAFF-1.

The alternatives analysis in Chapter 5 analyzes the Off-Site Tasting Room Alternative and the No Events Alternative. For each of these alternatives, the reduced impact to safety and the roadway is examined in combination with the proposed uses that would continue under each alternative. The Off-Site Tasting

Room Alternative analysis still accounts for the safety and traffic impacts of having events on the project site and the No Events Alternative still accounts for the impacts of having by appointment tastings on the project site. The description of each alternative, found in Sections 5.4.3 and 5.4.4, provides details on what uses would continue to occur onsite under each alternative.

C-5 The comment states the opinion that since the Transportation and Traffic section along with Figure 3.9.4 clearly defines the sub-standard road widths, blind curves, and site distance challenges the project site should be eliminated from permitting any alcohol-related promotional and sales activities and events. Please refer to Master Response TRAFF-1 for responses regarding traffic and safety along Sonoma Mountain Road.

C-6 The comment states an opinion that the “tasting room and event alternatives” should be denied. It is not clear if the commenter is referring to the proposed project, which includes a tasting room and proposes events, or one of the project alternatives which eliminate the tasting room and events as possible project alternatives (see Draft EIR Chapter 5, Alternatives, No Tasting Room Alternative, which eliminates the tasting room but the on-site events remain; and, the Off-Site Tasting Room Alternative, which relocates the tasting room off-site but the on-site events remain). The commenter’s opinion is noted. This comment does not address the adequacy of the Draft EIR; consequently no response is required. However, the concerns raised will be considered by the Board of Supervisors in making a determination whether to approve the project.

C-7 The comment states an opinion that the buildings included as part of the project are inconsistent with a small winery, cheese making and farm stand project and is more representative of a large-scale commercial operation.

As stated in Chapter 2, Project Description, the project includes a 10,941-square-foot (sf), two-story building Production Facility that would provide a new creamery and winery capable of producing 10,000 pounds of cheese and 10,000 cases of wine per year. The project also includes a one story 3,033 sf Tasting Room building, and approximately 1,877 sf of agricultural employee housing. New construction would total 15,851 sf and would occupy an additional 0.86 of an acre of land. This comment does not address the adequacy of the Draft EIR; consequently no response is required. However, the commenter’s opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

C-8 The comment is requesting economic evidence be provided that shows the project can be economically feasible. CEQA does not require an analysis of the economics of a project or to determine if a project is economically feasible. Therefore, no response is required and this comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

C-9 The comment is requesting more information be provided for the proposed Hospitality building. As stated in Chapter 2, Project Description, on page 2-4, the proposed tasting and farmstead goods processing building (hospitality building) would be a one story 3,033 sf structure and would include a by-appointment-only tasting room, tasting areas, tax paid case goods storage, farmstead product processing, a commercial kitchen, restrooms, and support space for the direct sales of wine, cheese, farmstead products, and incidental items from the local area. No housing or overnight accommodations would be provided in this building.

C-10 The comment requests the intent of objective no. 6, which refers to food artisans to develop demand for their products be defined.

The project will include an on-site “farmer-in-residence” as well as potentially a cheesemaker to create the farmstead products (e.g., fresh/preserved vegetables/fruits, eggs, charcuterie and cheeses). No off-site vendors would be permitted to sell farm products on-site. Only the employees that reside on the project site would be permitted to sell products. To clarify this objective no. 6 on page 2-1 in Chapter 2, Project Description, has been revised to read:

6. Provide opportunities for small-scale sustainable farmers and food artisans to ~~operate on-site~~ develop demand for their products produced on the site.

C-11 The comment states that Table ES-1 is not adequate because it does not specify mitigation measures for impacts associated with public access, and does not provide substantial evidence to mitigate these impacts.

Table ES-1 provides a summary of all the potentially significant or significant impacts identified in the technical sections evaluated in the Draft EIR as well as those impacts and mitigation measures identified in the Initial Study, as summarized in Section 3.1, Summary of Initial Study. There were no potentially significant or significant impacts identified with public access; therefore, there are no mitigation measures listed in Table ES-1.

C-12 The comment suggests that the traffic environmental setting and Figure 3.9.4, make the case that Sonoma Mountain Road is not appropriate for uses requiring public access such as alcohol related events and sales activities. The reader is referred to Master Response TRAFF-1 for more information regarding the safety of Sonoma Mountain Road.

C-13 The comment states that CEQA does not acknowledge mitigation measures that cannot be implemented and expresses the opinion that requesting vehicles to approach from Santa Rosa is not an enforceable mitigation measure.

On page 2-6 of the Draft EIR there is a statement that the “project applicant would advise all guests to access the site from the south or west (Santa Rosa or Rohnert Park) and would specifically ask guests not to travel from Glen Ellen via the eastern portion of Sonoma Mountain Road.” The project includes a by-appointment-only tasting room, tasting areas, and support space for the direct sales of wine, cheese, farmstead products, and incidental items from the local area. Therefore, it is reasonable that the project applicant would provide directions to the site and encourage visitors to come from the south or west and not to use Sonoma Mountain Road. However, this action is not a required mitigation measure as no significant project-related traffic impacts were identified. The traffic analysis, included in Section 3.9, includes an existing traffic safety and roadway conditions analysis of Sonoma Mountain Road (see pp. 3.9-5 through 3.9-8) that identifies existing safety concerns. The analysis does not ignore or underplay the existing safety concerns present on Sonoma Mountain Road. The reader is also referred to Master Response TRAFF-1 for more information regarding the safety of Sonoma Mountain Road.

C-14 The comment claims that while the Draft EIR says traffic will only increase by 6%, the ambient measurement is low enough that this increase would significantly change the character of the remote location. The reader is referred to Master Response TRAFF-1 that addresses this concern.

C-15 The comment alleges that the Draft EIR does not address the cumulative impact of traffic or growth inducing assessment.

The Draft EIR traffic analysis, Section 3.9, includes both an evaluation of the Cumulative No Project condition as well as the Cumulative Plus Project condition. As discussed under Impact TRA-1 in the Draft EIR on page 3.9-20, the Cumulative No Project condition illustrates the traffic scenario in year 2040 without the proposed project while applying a projected growth rate of 2% per year over 25 years to estimate traffic demands for the horizon year 2040. Table 3.9-9 provides the

intersection levels of service under Cumulative No Project conditions. The Cumulative Plus Project condition is discussed on page 3.9-21 and is similar to the previously discussed cumulative conditions, with the addition of project generated traffic. Table 3.9-10 summarizes the intersection levels of service under Cumulative Plus Project conditions. Please refer to Master Response TRAFF-1 for additional information regarding the cumulative analysis.

A growth inducing analysis is provided in the Draft EIR in Chapter 4 under section 4.5 Growth Inducement. The Draft EIR concluded that the project would not directly or indirectly result in substantial growth.

C-16 The comment asserts that the Draft EIR only considered the width of the driveway entrance for accommodating emergency access vehicles and not constraints to access along Sonoma Mountain Road. Please refer to Master Response TRAFF-1 for information regarding safety and emergency access.

C-17 The comment suggests that traffic and alcohol consumption will increase the need for emergency vehicles and that the road segments with less than 20 foot widths would not allow for emergency vehicles and would significantly delay response. Please refer to Master Response TRAFF-1 for information regarding safety and emergency access.

C-18 The comment asserts that vegetation removal for driveway site distances should be reviewed in the aesthetics section as removal would impact the rural character.

The Draft EIR discusses the proposed trimming and removal of vegetation along Sonoma Mountain Road, consistent with the traffic analysis recommendations, under Impact AES-3. Specifically under Viewpoint 1 – Sonoma Mountain Road, on page 3.2-18, the Draft EIR concludes that based on review by the County Department of Transportation and Public Works and Permit Resource and Management Department staff, the required trimming and removal is expected to be limited to select trees and low growing vegetation and would not substantially alter views along Sonoma Mountain Road.

C-19 The comment alleges that the Draft EIR did not analyze how the siting of the project would induce economic growth in the form of more development in the county which would contribute to growth inducing impacts.

Growth inducement is evaluated in Chapter 4, Other CEQA Considerations. Based on the analysis, the project would provide infrastructure improvements to the site, but these improvements would not facilitate future growth beyond the project site. All

proposed utility infrastructure improvements would be located on site and sized to adequately serve the existing residences and vineyards and the proposed project uses with limited future growth potential. Any subsequent project proposed in the County would be required to go through the County's review process if any uses proposed are not allowed under the existing land use designation or zoning. If the County approves this project it does not guarantee future projects would be approved.

- C-20** The commenter is asking for an analysis to support the EIR's claim that the Off-Site Tasting Room alternative would have greater air quality and greenhouse gas emissions than the proposed project. This comment also claims that the analysis fails to consider the extra mileage and grade of the road necessary to access the project site.

As discussed on page 5-12 of the Draft EIR, the Off-Site Tasting Room Alternative would result in greater air quality and greenhouse gas emissions compared with the proposed project due to the increased distance necessary for vehicles accessing the off-site tasting room and from the additional amount of trucks required to transport farmstead products and wine. While emissions associated with the additional mileage and trucks to the off-site tasting room was not quantified, operational emissions would increase. However, as shown in Table 3.3-6 on page 3.3-22 and Table 3.6-2 on page 3.6-22 of the Draft EIR, operational emissions are substantially less than the BAAQMD significance thresholds. Therefore, emission contributions associated with the increase in mileage or roadway conditions would be minimal.

- C-21** The comment claims that truck trips to deliver agricultural products to the tasting room would be significantly less than visitor traffic and would be off-set by the reduction in tasting-room and event related truck trips and supplies. Please see Master Response TRAFF-1 for more information pertaining to truck trips associated with the project.
- C-22** The comment requests an analysis that demonstrates that reduced visitor-related vehicle trips would be offset by the number of truck trips necessary to take various products to the off-site tasting room. Please see Master Response TRAFF-1 for more information pertaining to truck trips associated with the project and Response to Comment C-20.
- C-23** The comment claims that employees and event staff, if working in Rohnert Park would have the option to take public transportation further reducing GHG emissions. Please see Response to Comment C-2.

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Comment Letter D

DEIR Hearing on Belden Winery Proposal – 7/19/2016

Speaking for the Friends of Sonoma Mountain Road (FOSMR) regarding traffic and road safety in relation to the proposed project, it is not realistically possible to mitigate the threat to life and quality of life that approval of this project presents. Road safety is not a problem that the DEIR fixes.

The overarching purpose of CEQA is the provision for a quality environment now and in the future. Significant effect on the environment is interpreted as a substantial or potentially substantial adverse change in the environment. The proposed project would create just such an adverse change.

Approval of the proposed project, where no such business-type development has ever existed, not only creates significant problems with regard to traffic safety, but establishes a precedent for those vineyard owners who will inevitably seek permission for similar developments. The problem of combined impact can't be avoided.

This project is not, as it is for many other wineries in the county, an effort to expand on an already existing winery, tasting room and event center. This project proposes to expand a pre-existing vineyard into an entire on-site wine, cheese, and hospitality business at a time when the County and its wineries, as the July 12 Wine Events Study Session made clear, are already suffering from excessive development.

Sonoma Mountain Rd. has been identified as the worst road in the county. We have commissioned a peer review of the DEIR traffic study that is still in draft form, but which points out that the study fails to adequately address traffic safety issues. For instance, the section of road east of the project site down to Glen Ellen has many sharp curves, extremely limited sight distances, and abrupt drop-offs. Sections of the road are poorly paved and have only 10 foot wide areas for passing. The road to the west of the project has had two sections fall away just since that portion was re-paved. My wife and neighbors drive this road many times a week, and report near miss accidents on a regular basis. These conditions constitute a major traffic safety issue for visitors and guests at wine tastings, weddings, and other special events, especially after consuming alcohol. Approval of the proposed project would constitute a sanction to drink and drive on a road already hazardous at any time, and with no realistic way to mitigate

a drinking + driving
that eventuality.

D-1

D-2

The DEIR traffic study projects a 6% increase in the volume of traffic on Sonoma Mountain Road, but calls this insignificant. A 6% ~~traffic~~ increase may not pose a problem with congestion because of the low base traffic volume on the road, but for a local, low volume road like Sonoma Mountain Rd., ^{such an} 6% increase would definitely be noticeable, and should be recognized as significant.

D-3

The traffic study further asserts that ^a the 6% increase in traffic would have no impact on pedestrian and bicycle facilities, but there are no such facilities on Sonoma Mountain Rd. What is more to the point is that any Saturday drive over the Road reveals heavy pedestrian and bicycle activity that would be negatively impacted by a 6% increase in traffic, particularly on special event days, and especially because the road is narrow and without shoulders.

D-4

The facts indicate, on the basis of traffic alone, and in accord with CEQA policy, that the proposed project would create an adverse environmental impact that cannot be mitigated, is ill-advised, and should not be approved.

D-5

Byron LaGoy
5400 Sonoma Mountain Rd.
Santa Rosa, CA

Letter D

Byron LaGoy Friends of Sonoma Mountain Road

- D-1** The comment expresses an opinion that the project would create a potentially substantial adverse change in the environment; would create significant problems with respect to traffic safety; would set a precedent for other vineyard owners; and adds the County already suffers from excessive development. The commenter's opinions are noted. The reader is referred to Master Response TRAFF-1 for more information pertaining to traffic safety. This comment does not address the adequacy of the Draft EIR; consequently no response is required. However, the concerns raised will be considered by the Board of Supervisors in making a determination whether to approve the project.
- D-2** The comment expresses an opinion that the conditions on Sonoma Mountain Road constitute a major traffic safety issue for visitors and guests and approval of the project would constitute a sanction to drink and drive on a road that is already hazardous. Please see Master Response TRAFF-1 for more information pertaining to traffic and safety concerns. The commenter's opinion will be provided to the Board of Supervisors to consider in making a determination whether to approve the project.
- D-3** The comment expresses an opinion that while a 6% traffic increase may not pose a problem to congestion because of the low base traffic volume, it should be recognized as significant because it would be a noticeable increase. Please see Master Response TRAFF-1 for more information pertaining to traffic.
- D-4** The comment states that there are no bicycle or pedestrian facilities along Sonoma Mountain Road, and expresses the opinion that a 6% increase in traffic would have an impact on pedestrians and bicyclists given the narrow road and lack of shoulders. The commenter's opinions are noted. Please see also Master Response TRAFF-1 for more information pertaining to traffic and safety concerns.
- D-5** The comment expresses an opinion that the proposed project would result in adverse environmental impacts on traffic that cannot be mitigated; therefore, the project should not be approved. The traffic analysis prepared for the project did not identify any significant traffic impacts, as shown in Section 3.9, Transportation and Traffic. Please see also Master Response TRAFF-1 for more information pertaining to traffic and safety concerns. The commenter's opinion will be provided to the Board of Supervisors to consider in making a determination whether to approve the project.

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Comment Letter E



August 1, 2016

To: Melinda Grosch, Planner III, PRMD melinda.grosch@sonoma-county.org

CC: Tennis Wick tennis.wick@sonoma-county.org

1st District Supervisor Susan Gorin Susan.Gorin@sonoma-county.org

2nd District Supervisor David Rabbitt David.Rabbitt@sonoma-county.org

3rd District Supervisor Shirlee Zane Shirlee.Zane@sonoma-county.org

4th District Supervisor James Gore James.Gore@sonoma-county.org

5th District Supervisor Efren Carrillo Efren.Carrillo@sonoma-county.org

Re: PLP12-0016 – Belden Barns DEIR comments

The Valley of the Moon Alliance (VOTMA) has a mission to protect the agricultural character, natural resources, and rural beauty of the valley for this and future generations. Therefore VOTMA would like to comment on a couple of deficiencies within the DEIR for the above project.

The DEIR needs to evaluate the FULL impacts to public safety caused by increased traffic on Sonoma Mountain Road. It is inconceivable to task the applicant with advising "guests not to travel from Glen Ellen via the eastern portion of Sonoma Mountain Road" as a public safety mitigation, especially if there is no reservation system to inform guests before coming. Construction vehicles should also be required to use the western approach on Sonoma Mountain Road.

"Sonoma Mountain Road is too narrow in some places for two vehicles to pass easily and has many sharp horizontal curves that limit how far in advance motorist can identify approaching traffic." This would also include emergency vehicles accessing the project site or neighboring residences. This is a true public safety issue. Is there some emergency plan for the folks who live on Sonoma Mountain Road? The DEIR needs to consider fire and other acts of nature risks and how these emergencies would be addressed.

E-1

E-2

E-3

E-4

The DEIR needs to do a better analysis of the traffic resulting from the off-site tasting room alternative. It acknowledges that off-site tasting would eliminate up to 48 vehicle visits per day however it also states that this would result in an increase of truck traffic to get produce to the off-site location, implying equivalence in the offset. The DEIR needs to accurately assess the positive effects of off-site tasting on road usage, noise and public safety. VOTMA thinks this off-site tasting room alternative could be an equitable solution.

E-5

The DEIR needs to evaluate providing shuttles only for guests attending any on site tasting or events and the requirements of participation in industry wide events. As noted in the initial study, "All events shall be coordinated with Sonoma Mountain Zen Center so that events are not scheduled on the same dates".

E-7

The DEIR needs to take into account the significant 'amphitheater effects' of noise associated with the project's hillside setting and the naturally low ambient noise levels in the area when considering noise significance. This includes all noise produced on site, whether it is the "commercial chiller unit" used in processing cheese that will be operating 24/7, or the 200 guests invited for a promotional event. The DEIR should evaluate if a soundproof structure would better mitigate sound in this low ambient noise neighborhood.

E-8

The DEIR needs to evaluate the alternative of establishing the Creamery off-site, along with the tasting room. This processing could be done in a more commercial area reducing by half the amount of milk product that would need to be transported over Sonoma Mountain Road. Also it would eliminate the noise from the outdoor creamery machinery running constantly.

E-9

The DEIR needs to fully assess the risks associated with the Rogers Creek Fault. What were the specific measurements of effect used to evaluate the 2014 Napa earthquake?

E-10

The DEIR needs to obtain factual data from actual groundwater monitoring of the closest well to assess the effects of normal Belden Barns pumping and an adequate well stress test on the project well.

E-11

VOTMA appreciates the varied alternatives examined in this DEIR and hope that there will be sufficient options for the applicant to succeed as well as protection for the health and safety of the public and residents of the area.

E-12

Thank you for your considerations.

Kathy Pons, President

Valley of the Moon Alliance Board of Directors

Letter E

Kathy Pons, President Valley of the Moon Alliance

- E-1** The comment alleges that the Draft EIR needs to evaluate the full impacts to public safety since advising guests not to travel from Glen Ellen is not adequate public safety mitigation. Please refer to Master Response TRAFF-1 for information pertaining to safety concerns.
- E-2** The comment suggests construction vehicles should also be required to use the western approach along Sonoma Mountain Road. The County will include a requirement in the Project Conditions of Approval that all construction vehicles arrive and depart the site to and from the west using Sonoma Mountain Road and not Sonoma Mountain Road from the east
- E-3** The comment expresses the opinion that the narrow parts of Sonoma Mountain Road would not be safe for emergency vehicle access and asks if there is an emergency plan for residents of Sonoma Mountain Road.

The County requires a project evaluate on-site emergency access as part of the traffic analysis. Impact TRA-3 in Section 3.9, Transportation, addresses the project site plan in order to evaluate the adequacy of on-site circulation for vehicles, refueling trucks, delivery trucks, and emergency vehicles as well as issues related to queuing, turning radii, and safety and circulation aisles. All circulation aisles accommodate two-way travel, with one-way travel on some segments and the turning radii would be adequate for delivery trucks. Emergency vehicles would access the project via the same project driveway. Based on the analysis it was determined there would be no issues with the ability of emergency vehicles to access the project site in the event of an emergency. The County does not have an emergency plan specific to Sonoma Mountain Road. Please see also Master Response TRAFF-1 for information pertaining to safety concerns.

- E-4** The comment claims the Draft EIR needs to consider fire and other acts of natural risk and how such emergencies would be addressed.

The Sonoma County Hazard Mitigation Plan includes a section on Wildfire Hazards and Risks (section 4, Wildfire Hazard and Risk Assessment) and notes that the Sonoma County Fire and Emergency Services Department is “responsible for the emergency management planning, coordination of response, recovery, and mitigation activities related to county-wide emergencies and disasters; serving as the

primary coordination point for emergency management's communication flow between the Federal, State, and local levels; developing emergency operation plans for the county, cities, and districts; conducting training and educational outreach programs related to emergency preparedness; and sponsoring emergency management training." (Sonoma County, 2011, p. 141). New buildings proposed on the project site would be constructed consistent with the County's Fire Safety Ordinance (Chapter 13), which requires various measures be taken to maximize fire protection of property. According to the County's Wildfire Hazards Areas (General Plan Figure PS-1g) the project site is located in an area of moderate to high wildfire danger. In the event of an emergency the County's Fire and Emergency Services Department would oversee emergency evacuation of the area, including the project site.

E-5 The comment expresses an opinion that the Draft EIR should do a better analysis of the traffic resulting from the Off-Site Tasting Room alternative. Please see the traffic discussion under the Off-Site Tasting Room Alternative, in Chapter 5, Alternatives Section 5.4.3, which provides sufficient analysis per CEQA requirements.

E-6 The comment notes that the Draft EIR needs to assess the positive effects of off-site tasting on road usage, noise, and public safety and that the Valley of the Moon Alliance could support an Off-Site Tasting Room alternative.

The alternatives analysis includes a comparison of impacts under the currently proposed project and the alternative for all the areas identified in the Draft EIR. Under the Off-Site Tasting Room Alternative, in Chapter 5, Alternatives Section 5.4.3, there is a discussion of how noise impacts at the project site would be reduced by locating the tasting room off-site. Additionally, there is a discussion of how locating the tasting room off-site would eliminate vehicle trips associated with the tasting room and subsequently reduce potential impacts to safety and pavement deterioration. It is noted in this section that an increase in truck trips would be required in order to transport farmstead raw materials, cheese and wine from the project site to the tasting room.

E-7 The comment notes that the Draft EIR needs to evaluate providing shuttles for guests attending any on site tasting or events and the requirements of participation in industry wide events.

The Alternatives analysis included in Chapter 5 of the Draft EIR evaluates a No Tasting Room alternative, which eliminates operation of the tasting room; an Off-Site Tasting Room alternative that would allow for operation of a tasting room off site, most likely in a developed area such as in the cities of Santa Rosa or Rohnert Park;

and an alternative that eliminates all on-site events (No Events alternative). The CEQA Guidelines Section 15126.6 requires an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” Based on the impacts identified for the project and comments received in response to the Notice of Preparation, the County selected a reasonable range of alternatives to evaluate that either minimize or reduce impacts and also meet some of the project objectives. The use of a shuttle to transport people to/from the project site would be an arbitrary business impairment that does not comport with the project proponent’s project objectives, and more importantly, would not address any significant impacts. The logistics to coordinate a shuttle for people visiting the site for the farmstead experience, to attend events, and appointment-only wine tasting would impose unique impairments on this use that would arbitrarily put this use at a business disadvantage. It could also increase traffic impacts (if there is one trip to the parking area by the visitors and then a trip to the parking area and back to Belden Barns then back to the parking area and back to Belden Barns resulting in four trips for the shuttle to and from the site). The County has occasionally imposed shuttle requirements for wineries, but it has done so for individual and very large events where there was insufficient on-site parking, not as a traffic mitigation for everyday operations. The project comports with existing zoning and planning requirements, which were already analyzed on a programmatic level in the EIR for the General Plan. A partial off-site alternative is not required by CEQA. The range of alternatives provided is adequate and meets the intent of the CEQA Guidelines. The proposed alternative is not necessary.

- E-8** The commenter indicates that the Draft EIR needs to account for the significant amphitheater effect of noise associated with the project’s hillside setting and the naturally low ambient noise levels in the area. Please refer to Master Response NOI-1 for information pertaining to noise concerns.
- E-9** The commenter expresses a desire that the Draft EIR analyze an alternative for establishing a creamery off-site in addition to the tasting room, which would reduce the amount of milk product transported over Sonoma Mountain Road and eliminate noise from the outdoor machinery. Please refer to Master Response NOI-1 for information pertaining to noise concerns.

- E-10** The comment requests risks associated with the Rodgers Creek Fault be assessed. The commenter is referred to Responses to Comments H-7 through H-10.
- E-11** The comment claims that the Draft EIR needs to obtain actual data from groundwater monitoring the closest well to assess the effects of normal pumping and an adequate well stress test on the project well. Please refer to Master Response GWA-1 for information regarding groundwater concerns.
- E-12** The comment expresses appreciation that the Draft EIR evaluated various alternatives and hopes there is a successful alternative for the project to move forward while maintaining the health and safety of the public and residents that live in the area. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

Comment Letter F

Crystal Acker

From: Matt Phillips <matt@ncvslc.com>
Sent: July 01, 2016 9:26 PM
To: Crystal Acker
Cc: 'Susan Gorin'
Subject: Belden Barns

Greetings Ms. Acker & Supervisor Gorin,

My name is Matt. My driveway is a couple of hundred feet from the Belden property. I am writing to you regarding the Belden Barns project. It is safe to say that my proximity to the Belden project qualifies me to comment on this topic. That said, I suspect I'll have a different opinion from most of those you'll hear from. Please indulge me. This is important.

I do not know the Belden's personally. I have never met them. I did speak with Mr. Belden once. His three-legged dog got out of its kennel. I called the number on the tag, and found myself talking with the notorious Mr. Belden. (He didn't sound all that evil to me.) Other than that, I have no exposure to him, or his family. I have no personal skin in this game.

I have another neighbor who has made it her personal crusade to stop the Belden family from pursuing their dreams. In fact, we share a driveway. Mrs. Parker has been doing this for many, many years. She and her late husband went after my family more than 25 years ago when we purchased our property from the late Bill Jacobs. I have been living here on Sonoma Mountain since I was a child. I have always intended to die here as well. We will see how that works out. At the rate things are going, I am seriously considering moving out of state. I do not feel that the money I work hard to earn, which is then confiscated by the government, is being spent wisely. I don't mind sharing, but there is such a thing as too much. And we are there.

I got your email address, Ms. Acker, from the Kenwood Press newsletter. The newsletter suggested that you were open to public comment. So here it is!

The Belden's have a right to do with their property what they wish; as long as it's legal. Their neighbors have a right to be concerned. But enough is enough. The lawsuit, the complaints, the nonsense, the trash-talking, the lies, the shenanigans....they need to stop. Mrs. Parker, as usual, is pitting neighbor against neighbor. She has absolutely nothing constructive to do with her copious amounts of free time. She needs to learn how to mind her own business.

The Belden's have gone out of their way to accommodate their nosy neighbors, the county, the consultants, the NIMBY crowd, and all the people with too much time on their hands. It's time to let them live out their dream. Will there be impacts? Absolutely. Could their water usage have an impact on my well? Absolutely. Could there be more drunks on the road because of their new business? Absolutely. Will the already horrible road get worse? Absolutely. Should you allow this project to continue anyway? Absolutely. If the project fits the zoning, and they have jumped through the staggering amount of hoops that have been laid on them, and it still fits, then approve the project and move on.

The county recently approved a new park on Sonoma Mountain Road. Numerous improvements were made on the property. (the old upper Jacobs Ranch) The road was repaired from Bennett Valley Road to Craig Harrison's driveway; but no further. The increased traffic on Sonoma Mountain Road beyond Mr. Harrison's driveway has created a total mess, thanks to the park. But nobody seems to have a problem with that. They only have a problem with the Belden Barns project, which is less than a half a mile from the entrance to the new park. That is revolting.

If the Belden's have jumped through all the hoops, done all the studies, allowed Mrs. Parker and her band of people with too much time on their hands to try to ruin their dreams, and still come up on the right side of their zoning requirements, let it go. Enough is enough!

Regards,

F-1

F-2

Matt Phillips

Operations Manager

North Coast Vineyard Services, LLC.

100 Mary-Paige Lane

Santa Rosa, Ca.

95404

707-527-5682 (o)

707-331-8438 (c)

matt@ncvsllc.com

www.ncvsllc.com

Letter F**Matt Phillips****July 1, 2016**

- F-1** The comment provides background on Mr. Phillips, his location relative to the project site and how long he has lived in the area. The comment does not address the adequacy of the Draft EIR; therefore, no response is required.
- F-2** The commenter is expressing his opinion that the project applicant has a right to develop their property providing it complies with the law. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

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Comment Letter G

Crystal Acker

From: Melinda Grosch
Sent: July 07, 2016 8:15 AM
To: Crystal Acker
Subject: FW: Belden Project

For PLP12-0016

Melinda G.

OFFICE HOURS: PRMD's Public Lobby is open Monday through Friday from 8:00 AM until 4:00 PM, except Wednesdays, open from 10:30 AM to 4:00 PM.

From: Mark & Carol Wieszczyk [mailto:markpw@sbcglobal.net]
Sent: July 06, 2016 4:32 PM
To: Melinda Grosch
Cc: Byron LaGoy; Lynne Walsh
Subject: Belden Project

Having witnessed the chaos of Sonoma Lavender Festival first hand I have a better understanding of the impact these events have on our County, as should our Sonoma County Officials. The event shut down Hwy 12 in Kenwood. Traffic started to build up East of Pythian (to Madrone in Glen Ellen), by Frey Rd. it had slowed almost to a stop.

Cars were parking on both sides of the highway the entire length of Kenwood and down all the side streets. Drivers were pulling into private driveways, and backing up onto Hwy 12 to turn around. As we approached Kenwood the traffic came to a complete stop, couples were strolling hand and hand leisurely across the road, baby strollers were being thrust between cars to cross the highway. In thirty years of using 12 I have never seen it shut down other than for an accident.

If an emergency vehicle had to get through at this time there would not have been enough room for cars to pull over to allow passage.

This being said, events on a narrow two lane country road in the middle of nowhere is definitely a mixture for disaster.

My vote is NO on Belden Farm.

Sincerely,
Carol Wieszczyk
2585 Bennett Ridge Rd.
Santa Rosa, CA 95404

G-1
G-2

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Letter G**Carol Wieszczyk****July 6, 2016**

- G-1** The comment notes that traffic during events, specifically the Sonoma Lavender Festival, can create a dangerous situation for drivers on Highway 12. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- G-2** The commenter is expressing her opinion that she does not support the project. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

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Comment Letter H

JANE E. NIELSON, PHD
CA PG 9011
3727 BURNSIDE ROAD
SEBASTOPOL CA 95472

July 6, 2016

To: Melinda.Grosch, Senior Environmental Specialist
Melinda.Grosch@sonoma-county.org

Re: Discussion of Belden Barns DEIR sections dealing with Geologic Reports

Dear Ms Grosch,

The Belden Barns DEIR does a much better job of delineating geologic parameters of the property than did the MND. New fieldwork for the hydrology report does a very good job of defining on-site geologic units. Unfortunately, the DEIR and Appendices are not well laid out or integrated, and the Appendices lack an index. These omissions, and separate page numbering of each Appendix item, makes reviewing the materials quite difficult. PRMD needs to set standards for these kinds of reports, which aid both planners and reviewers.

H-1

H-2

The DEIR itself appears to be internally organized, but is not cross-referenced to the Appendices. The DEIR Geology and Soils section does not include a geologic map, however, and the single DEIR figure that purports to show geologic relations does not match well with the geologic maps presented in Appendix sections E and F.

H-3

The best geologic information on the project site is found in the Dudek Groundwater Resources Technical Report (Appendix F). Unfortunately, geologic information is buried within that Appendix and could be overlooked, since a reviewer might expect that the geological information in Appendix E would be used as the basis for a groundwater study, and not seek for additional geologic data in another section.

H-4

Assessing the geologic units present at the Belden Barns site is difficult due to limits on regional geologic investigations that slowed map publication. Many different state and federal investigators have worked in the area, identifying differing geologic units, and publishing partial compilations and (or) provisional maps. From among these publications, different references are cited in the DEIR than appear in the Appendix study reports, where I found the following references:

- California Division of Mines and Geology Special Report 120, scale 1:62,500 (1980) [Appendix E, Reese Report references]. Best scale but very old geologic information.
USGS Scientific Investigations map 2956 (2007), scale 1:100,000 [DEIR p. E 3.5-15]. Scale is too small for application to the site.
USGS Miscellaneous Field Studies map 2402, scale 1:125,000 (2002) [Appendix E, Reese Report references]. Not applicable; does not cover study area.
California Geological Survey, Preliminary Geologic Map of the Napa 30' x 60' Quadrangle, California scale 1:100,000 (2010) [Appendix F, Dudek Groundwater Resources Technical Report references]. Small scale, but based on Glen Ellen 7.5' quad; best information for assessing this property.

H-5

The best information on the property's geologic units and structure in this DEIR is in the Dudek Groundwater Resources Technical Report (Appendix F), on pages 18-19. Figure 4, from the Napa 30' x

H-6

EMAIL: jenielsen@comcast.net
PHONE: 707-829-9393 / FAX 707-829-9591

60' geologic map (2010),¹ which gives the closest match to the DEIR's Geology and Soils section, and the Reese Geology report's (Appendix E) descriptions of materials observed at the site.

This source was also used for constructing the cross-section of Figure 6 in the Dudek Groundwater Resources Technical Report ("Dudek GW" in what follows). Figure 6 is based also on well log data from deep wells that intersected the Sonoma Volcanics unit at 700-800 ft below ground surface. Dudek GW thus provides the most reliable basis for interpreting the Belden property's geologic composition and structure.

To summarize:

1. Surface material on the central part of the property consists of sand, gravel, silt, and clay of later Tertiary to Pleistocene ages, Belden Barns due to hillside sedimentary processes that eroded materials from hills and deposited them as gently sloping, fan-shaped masses at valley margins.
2. More than one landslide of recent origin covers the property's south end. This zone of landslide deposits extends about a quarter-mile northward from the property boundary. The Reese report (Appendix E) indicates that these landslides originated to the west or northwest, from areas beyond the Belden Barns property, and cover the whole property width.
3. An east-west oriented low-angle reverse (thrust-type) fault is mapped about a quarter-mile south of the property. This fault (or faults) and associated tectonic crumpling (folding) in an exposed Tertiary unit, probably continues eastward into the southern end of the property (not indicated on the figure). Dudek GW (page 18) cites a southward dip on this thrust fault based on a personal communication.² That dip means that local fault pressures are thrusting the overlying rocks northward.
4. All reports note that the property is located 1.9 miles from the active Rodgers Creek fault zone, which the USGS has recently re-assessed as capable of generating a 7.1 earthquake. More recent research has defined a wider zone of Rodgers Creek Fault breaks through the Farmers Lane part of Santa Rosa than previously known.

The Dudek GW report provides a synthesis for explaining the extent of old and young landslide deposits (Qls0; Qlsy) shown on DEIR Figure 3.5-1. Figures 4 and 6 of Dudek GW (Appendix F) show that the area of Petaluma Formation (shaded green on DEIR Figure 3.5-1) is mostly covered by Pleistocene sand, gravel, silt, and clay that extend northward from the landslide margins to a zone within 500 ft of the property boundary. Well cores indicate that Petaluma Formation is present in the subsurface.

Dudek GW interprets surface exposures within the 500-ft wide northern boundary zone as a distinctive upper-Miocene member of the Petaluma Formation, although the Napa 30' x 60' source map suggests that they may be late Tertiary Glen Ellen formation. Whatever the name of the unit, these are relatively erodible materials, as are all other surface units on the property.

Figure 6 also shows that well cores penetrate complexly-related Petaluma Formation and Sonoma Volcanic units (described on Dudek GW page 21) at depths of tens to several hundred feet below the surface. These geologic relations can be seen in the channel of Matanzas Creek, and are known to extend northward into (and beneath) Bennett Valley.

¹ The Dudek GW report also supplants the MND's Boudreau submission on groundwater (strangely present within the DEIR Appendices' Biological Assessment section, along with a Traffic study and extra copy of the Reese report).

² The source map of Figure 4 shows thrust faults northeast of Rohnert Park, but those trend north-northwest, about parallel to the Rodgers Creek Fault.

H-6
Cont.

H-7

Discussion:

The main geologic hazards that the DEIR cites as potentially affecting the Belden property, and surrounding areas, are expansive clays, found in the present and proposed building areas, and damage to creeks and areas downslope from soil erosion. But an area within 1.9 miles of the active Rodgers Creek fault zone also has the potential to be damaged by strong earthquake shaking, and this could be a hazard for the Belden property. In addition, this area has experienced at least 2 prior landslide events and lies within a state-mapped area of extensive landslides, so has at least some potential to experience additional landslide events.

H-8

The combined evidence of past landslide events, plus proximity to a major active earthquake fault, means that the area is potentially vulnerable to landslides triggered by earthquake shaking. This combination is most likely during a wet winter, should a fault rupture occur close to the site.

DEIR minimizes Earthquake Shaking and Earthquake-triggered Landslide Hazards

In spite of the Belden Barns property location, within 2 miles of the active, powerful Rodgers Creek Fault, the DEIR does not fully analyze that hazard potential; instead, it focuses on a relatively unlikely possibility of strong shaking from an earthquake on the shorter West Napa Fault, at least 10 miles distant.

H-9

The DEIR also applies a low seismic hazard assessment to the property: 10% chance of exceeding a PGA of 0.547g and a 2% chance of exceeding a PGA of 0.928g in the next 50 years. The parameters for such probabilistic estimates account, among other aspects, for the whole length of major active faults, and time intervals between previous earthquakes on the faults. Such probabilistic estimates have been used for earthquake predictions over the past 50 years, but have not proved useful. A number of major destructive Pacific-region earthquakes have occurred since the year 2000, none of which were predicted by this type of assessment.

The real question is the potential for strong to very strong earthquake shaking due to a rupture on the Rodgers Creek Fault Zone. The Sonoma County Hazard Mitigation Plan, (Figure 8.2), appended, shows that such an event could be quite hazardous. The Sonoma County Hazard Mitigation Plan was created to aid hazard assessments, in particular for application to CEQA assessments (see Sonoma County Hazard Mitigation Plan Mitigation Strategy, p 173).

H-10

The Sonoma County Hazard Mitigation Plan is in digital form, and its maps are scalable, allowing "hazards to be assessed on a site-specific basis and avoided or mitigated through conditioning," according to the Plan's strategy section. On Figure 8.2 the site clearly has a potential to experience high-intensity shaking due to its proximity to the active fault. Even if a rupture is not directly adjacent, earthquake energy has been known to travel along parallel fault breaks, causing strong shaking all along the travel path.

In addition, the County's Hazard Mitigation Plan Figure 8.3 (Earthquake Vulnerability of Emergency Service Facilities) depicts the area of this property as one of high vulnerability to the disruption of emergency services.

H-11

I concur with the DEIR assessment that liquefaction hazards are minimal. But the potential for other landslide hazards are more difficult to assess.

H-12

Mapped Landslides are abundant in the Sonoma Mountain Road area, as shown in Special Report 120 Plate 2B (Landslides and Relative Slope Stability).³ Apart from the mapped landslides, Plate 2B adds the letter "C" to areas between mapped landslides along the stretch of Sonoma Mountain Road that

H-13

³ Note that Special Report 120 was published in 1980; since then Sonoma County has experienced three or four major rain events, generating additional landslides that are not depicted on these maps.

Belden Barns DEIR Comments

4

includes Belden Barns. The C indicates: "Areas of relatively unstable rock and soil units, on slopes greater than 15%, containing abundant landslides."

Past landslides have covered parts of the Belden Barns property, and what has happened could happen again, depending on conditions. Those landslides moved onto the property from areas to the east or southeast of the site, however. Our property ownership system makes it impossible to assess potentials for landslide generation from adjacent hillslopes under different ownership.

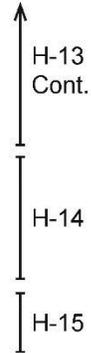
Substrate materials on the property are susceptible to forming landslides, but the slopes are relatively low, and may continue to be stable. Current residences and farm buildings (including ones to be preserved) are generally located in the east-central part of the property, where no landslides have been identified. All additional residences and most other buildings will also be located in this part of the property. Only a shed and a milking barn are planned for areas underlain by old and younger landslides.

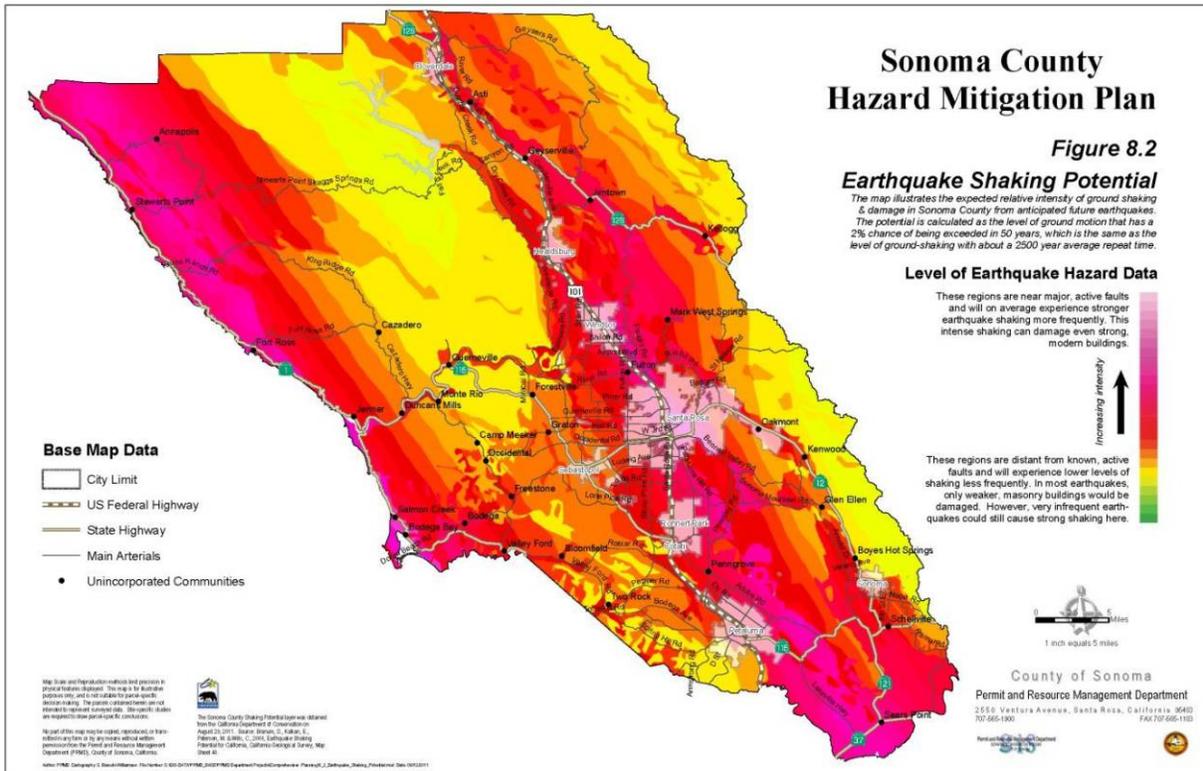
In conclusion, the DEIR recommendation that construction adhere to erosion and earthquake-resistant building standards is a necessity for this site. For greater stability, expansive clays should be removed from the building footing areas and replaced with prescribed materials, correctly compacted.

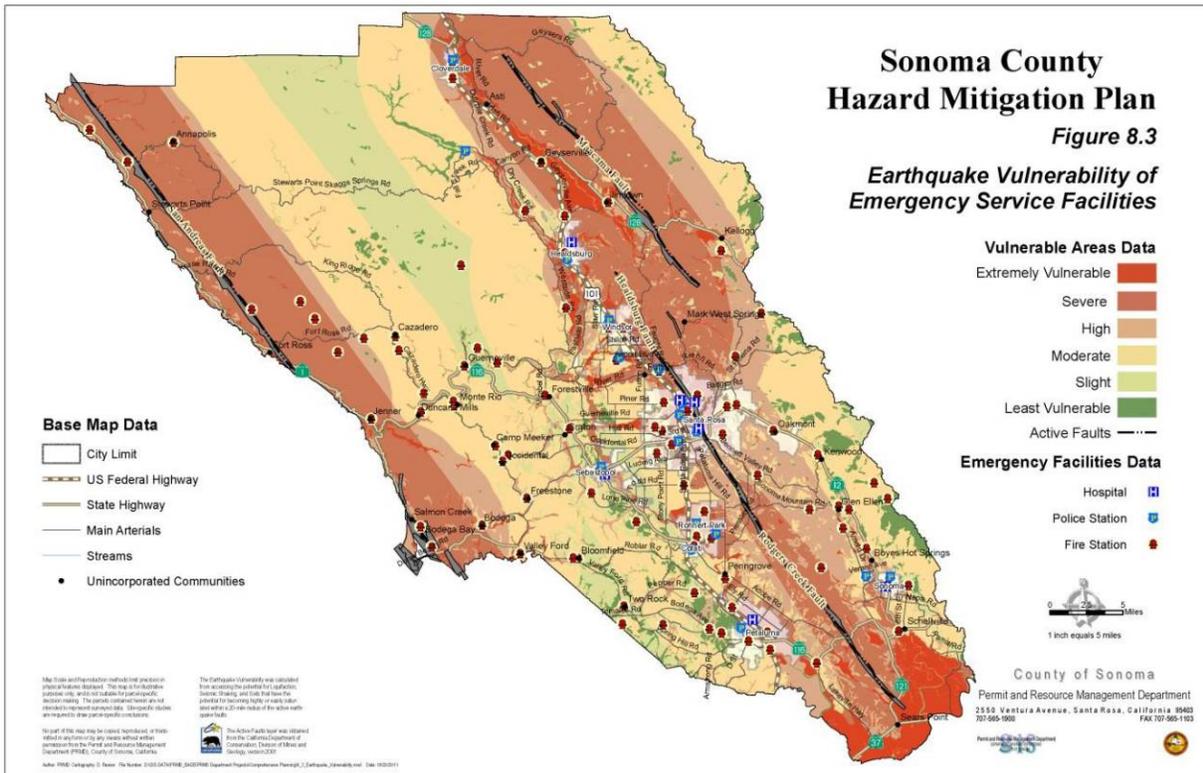
Sincerely yours,

Jane E. Nielson

Jane E. Nielson, Ph.D.
CA Professional Geologist 9011







Letter H

Jane E. Nielson, Ph.D

July 6, 2016

- H-1** The commenter is expressing her opinion that the Draft EIR provides a better analysis of the geology of the project site compared to the prior Mitigated Negative Declaration that was prepared for the project. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- H-2** The commenter is expressing a concern that the Draft EIR and Appendices are not integrated and that the Appendices do not include an index which makes review of the document difficult and requests County staff set standards for future reports. The comment is noted.
- H-3** The commenter indicates that Draft EIR Figure 3.5-1 does not match well with the geologic maps presented in Draft EIR Appendices E and F. Figure 3.5-1 is a digitized version of the geologic map presented on Plate 1 of Draft EIR Appendix E, and therefore is the same. The other figures in Draft EIR Appendix E (Plate 2) and Appendix F (Figure 4) present previously published geologic maps that are regional in nature. The graphics are presented for the purpose of supporting site-specific interpretations of the geologic environment, which are also based on exploratory test pits and site reconnaissance. The commenter is referred to Draft EIR Appendix F (Section 3.4.1 and Table 4) for a detailed explanation of how regional geologic maps were interpreted.
- H-4** The commenter is expressing her opinion that the groundwater report (Appendix F) provides good geologic information, but may be overlooked because it is not referenced in the geologic analysis included in Geology and Soils section of the Draft EIR. However, reference to Appendix F is included in Section 3.5, Geology and Soils, at the top of page 3.5-2.
- H-5** The commenter is providing additional references that are helpful for the reader to assess the geologic units that comprise the project site. This comment is noted; most of the references are duplicative with those referenced in the Draft EIR, included in Section 3.5, Appendix E, and Appendix F.
- H-6** The comment notes that the groundwater report includes the best information relative to the geologic units that comprise the project site and provides the best

information to understand the property's geologic composition and structure. The comment is noted and the reader is also referred to Master Response GWA-1 for more detailed information pertaining to the groundwater study.

H-7 The commenter provides a summary of the geologic information presented in the Draft EIR. The comment does not address the adequacy of the Draft EIR; therefore, no further response is required.

H-8 The commenter summarizes the geologic and seismic risks that are present on the project site. The commenter's characterization of such risks is consistent with the information and analysis presented in Section 3.5, Geology and Soils, of the Draft EIR. The Draft EIR appropriately focuses on the pre-existing landslides present on the subject property, since areas of past landslides are especially susceptible to reactivation by triggering mechanisms such as earthquakes and/or excessive rainfall. However, to clarify that the vicinity, in general, has an elevated risk of landslides, the following sentence shall be added to the last paragraph of Section 3.5, Geology and Soils on page 3.5-4:

Portions of the project site outside the limits of existing landslides (discussed below) have a relative slope stability rating of "Bf", which indicates locally level areas within hilly terrain that may be bounded by unstable or potentially unstable rock materials (Steve Martin Associates, Inc. 2014 Appendix A-1, Plate 2). The surrounding area, where no landslides were mapped, have a relative slope stability rating of "C", which indicates areas of relatively unstable rock and soil units, on slopes greater than 15%, containing abundant landslides.

In addition, the discussion under Impact GEO-1, on page 3.5-12 is amended as follows:

The methods and analyses contained in Appendix E are adequate and appropriate for a preliminary level evaluation of the presence and extent of the existing landslide materials on the project site. Given the high ground shaking potential, the presence of relatively weak geologic materials, and the sloped topography on portions of the site and the surrounding region (particularly to the south), a strong earthquake could reactivate the existing landslide masses or generate new landslides in the region. CEQA generally does not require an analysis of how existing environmental conditions will impact a project's future users or residents (California Building Industry Assn. v. Bay Area Air Quality Management Dist., 62 Cal. 4th 369, 386 [Cal. 2015]). The California Supreme Court has specifically found that the

components of the CEQA Guidelines (Guideline 15126.2) that call for an analysis of attracting potential occupants to existing seismic risk are clearly erroneous. It thus should be noted that this analysis is informational only to the extent that it is an analysis of the potential effects of the environment on the project, rather than of the project on the environment, and thus goes beyond the requirements of CEQA. Appendix E establishes that the proposed project is sited outside the highest risk area, and that foundation would therefore not cut into or further steepen existing landslide materials (which could destabilize the old landslide). Furthermore, the project's increase in occupancy is limited to daytime and seasonal workers and visitors, and there is no increase in overnight occupancy proposed.

As discussed above, a detailed design-level geotechnical investigation of the project site as required in compliance with the CBC would further refine grading, site-preparation, and foundation design recommendations prior to issuance of the site grading and building permits. ~~This would ensure potential impacts related to slope instabilities would be addressed, and~~ Given the proposed project is located sufficient distance away from mapped landslides, that the recommendations of a design level geotechnical report would be implemented, and that the increase in occupancy would consist of transient visitation, the impact of the project on exposure of people or structures to landslides would be less than significant.

The Draft EIR clearly discloses the seismic hazard and the existing landslide present on the site, and demonstrates that proposed structures are located outside the highest risk areas. The proximity of the Rodgers Creek Fault and the probabilistic seismic hazard assessment is summarized in the Draft EIR on page 3.5-4.

Furthermore, the residual exposure risk (to seismically-induced landslides) is acknowledged in the analysis by providing a description of site slopes, and describing the proposed structures as located on a topographic divide, which makes the exposure to landslide runout unlikely should one occur offsite or should the existing landslide be reactivated (DEIR p. 3.5-12, 1st paragraph). The Draft EIR determines that the impact would be less than significant considering structural features are located a sufficient distance away from the landslide boundary, that there is no increase in overnight occupancy, and that standard requirements for approval of grading and building permits (including a design-level geotechnical investigations and verification of compliance with California Building Code [CBC])

would be sufficient to reduce exposure to landslide hazards to an acceptable level. The commenter should note that statements regarding mitigation measures not being warranted refer to CEQA mitigation measures only; all requirements to obtain grading and building permits from the County, including design-level geotechnical investigations and verification of compliance with CBC, would need to be met for final project approvals.

These changes represent minor clarifications/amplifications of the analysis contained in the Draft EIR and do not constitute substantial new information, in accordance with CEQA Guidelines, Section 15088.5.

- H-9** The Draft EIR does not focus on the West Napa Fault as the main source of earthquake hazard; but it is described as a notable recent earthquake. The commenter is referred to Draft EIR page 3.5-4 for information on the probabilistic seismic hazard assessment method of estimating earthquake ground shaking. The Draft EIR discloses the potential for severe to violent ground shaking on the project site due to regional seismicity (which includes the seismic potential of the Rodgers Creek Fault).
- H-10** The commenters concerns regarding the shaking potential of the area are noted. The commenter is referred to Response to Comments H-8 and H-9, above. The peak ground accelerations for the project site, which are provided in the Draft EIR for reference, are not low, are indicative of severe to violent ground shaking, and are consistent with the maps provided on the County's website. As indicated under Impact GEO-1, a qualified geotechnical engineer will be retained to prepare a design-level geotechnical investigation for submittal to PRMD as a standard condition of approval. Seismic design parameters will be calculated at that time in accordance with the CBC and applicable County codes to ensure the proposed structures are seismically resistant.
- H-11** The comment regarding the earthquake vulnerability of emergency services facilities is noted. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- H-12** The commenter agrees with the finding in the Draft EIR that the potential for liquefaction to occur is minimal, but landslide hazards are more difficult to assess. The Draft EIR addresses hazards associated with landslides starting in page 3.5-4 and provides a discussion on the existing landslide areas on the project site.

- H-13** The comment states that landslides are abundant in the Sonoma Mountain Road area. The commenter is referred to Response to Comment H-8 above. Review of a full quality version of Plate 2B from Special Report 120 indicates the project site is rated as category “Bf” which indicates locally level areas within hilly terrain that may be bounded by unstable or potentially unstable rock materials.
- H-14** The commenter states that the substrate materials on the project site are susceptible to forming landslides, but buildings on the project site are generally located where no landslides have been identified. This comment is consistent with the analysis under Impact GEO-1 starting on page 3.5-10.
- H-15** The comment notes that all construction should adhere to erosion and earthquake-resistant building standards. The project is required to meet the CBC which includes earthquake design requirements, which are used to determine a Seismic Design Category (SDC) for a project.

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Comment Letter I

Addition to Comments on Proposed Belden Project DEIR Presented at the July 19, 2016 Board of Supervisors Hearing Byron LaGoy and Amy Rodney, 5400 Sonoma Mtn. Rd., Santa Rosa, CA

- The DEIR (pp. 2-6, 3.9-26) says that problems related to sight distance will be mitigated by removal of vegetation. Are we assume this means a combination of weeds, bushes, trees? What then becomes of the sound buffer that foliage created between the project site and neighbors? The DEIR also says existing vegetation will screen the project site from Sonoma Mountain Rd. (see aesthetics). How do you screen the site using vegetation you've removed?
- Open Space Preservation and the Regional Park, which borders the proposed project, spent close to \$20 million to ensure protection of the migratory wildlife corridor that runs through both pieces of property. The DEIR has not given serious consideration to the effect noise, glare, and lights from night-time events will have on wildlife migration through the corridor. Nor does the DEIR consider the impact on wildlife in the corridor that 24/7, year-round noise from the creamery's machinery will have.
- If so much more dairy raw material (65-70%) will be trucked in for creamery processing than is produced on-site, as an alternate plan, would it not be easier on the road because fewer trucks would be involved, reduced noise, reduced project cost, and the elimination of potentially serious water (usage and waste) problems, to truck out the small amount of dairy raw material from on-site, then return with the finished product for sampling on-site
- Friends of Sonoma Mountain Road's traffic peer review points out that there is a DEIR deficiency with regard to data about what truck sizes will be used for project operations, and what volume and frequency of truck traffic will be involved. This needs to be clarified in the DEIR.
- Why is an off-site tasting room for wine, as an alternate plan, insisting that this means off-site produce tasting as well, thus undermining the farmstead objective? Those 2 things are not linked.
- The project objective of direct-to-consumer wine sales as necessary to success is not eliminated if the tasting room is off-site. Any suggestion to the contrary is misleading.
- The Bennett Valley Area Plan is mentioned in its recognition that agriculture is a primary use in its LIA district. The DEIR asserts that the Bennett Valley plan is consistent with the General Plan, and therefore ensures conformance with the General Plan. There is no mention, however, of that provision in the Bennett Valley plan, which was drafted under the auspices of an earlier Board, and which opponents of the proposed project have mentioned repeatedly, that specifically prohibits commercial developments such as the current proposed project. Why is that provision again being ignored? To say something like, "retail/commercial operations are ancillary to agricultural use," is like saying, if beef cattle and potatoes were being raised on-site, a Burger King on-site would be an appropriate agriculture extension. There is a qualitative difference between things produced on the land, and the retail industry through which they are sold.
- Average rainfall in the county is given as 30", which is the same pre-drought figure as was

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<p>given in the flawed, previous hydrology report; but average rainfall for the project area is given as 42"-48". Are these also pre-drought figures?</p>	<p>↑ I-10 Cont.</p>
<ul style="list-style-type: none"> • The DEIR says there is no posted speed limit east of the Pressley/Sonoma Mtn. Rd. intersection, which means there is a prima facie speed limit, ludicrous as that is, of 55 mph. There is, however, a gold-colored, suggested speed limit sign of 20 mph because of a narrow road just east of the intersection. Does this juxtaposition not invalidate the prima facie notion of 55 mph? 	<p>I-11</p>
<ul style="list-style-type: none"> • If the tasting room were off-site, it would eliminate an estimated 34-48 daily vehicle trips, also identified as a 6% increase in traffic, which the DEIR claims will have no significant impact on pedestrian and cyclist facilities on Sonoma Mtn. Rd. The traffic consultant for Friends of Sonoma Mountain Road contests that conclusion, identifying the 34-48 daily vehicle trips, and/or 6% increase in travel as definitely significant. (See Byron's comments from July 19 hearing that were entered into the record.) 	<p>I-12</p>
<p>Transportation and Traffic, section 3.9, Pedestrian Facilities, says that an impact to pedestrians would result if the project disrupted existing facilities. It comes to the same conclusion regarding cyclist safety under Bicycle Facilities. In the case of Pedestrian Facilities, since there are none, it concludes there is no problem. Did pedestrian traffic disappear because there are no facilities provided for it, or will the problem of pedestrian safety in fact become far worse because of the proposed project?</p>	<p>I-13</p>
<p>Regarding bicycle safety and project impacts, the DEIR acts as if a Please Share The Road sign would seriously mitigate the danger from current and increased traffic. Since when did "please be nice" ever take care of a serious problem?</p>	<p>I-13</p>
<p>The bottom line on the logic here is . . . if there would an impact on pedestrians and cyclists if the project disrupted their related facilities, how could there not be an even worse impact if no such facilities exist?</p>	<p>I-13</p>
<p>Near the end of the report, 5-Alternatives, Transportation and Traffic, it says "reduction in trips on Sonoma Mtn. Rd. would reduce potential impacts related to safety." No mention is specifically made regarding pedestrians and cyclists, but they would seem to categorically fall into the group "potential impacts (from traffic) related to safety."</p>	<p>I-14</p>
<ul style="list-style-type: none"> • The DEIR also asks us to believe (Traffic Safety Analysis) that traffic dangers coming from eastern Sonoma Mountain Rd. will be virtually neutralized by posting a request on-line that people not approach the project site from that direction. Clear thinking would reveal that, even if such a request were seen, few if any would consent to going the long way around if they knew they didn't have to. 	<p>I-15</p>
<ul style="list-style-type: none"> • The DEIR admits that the No Tasting Room Alternative is an environmentally superior alternative, and that it would meet most of the proposed projects goals, though it would eliminate direct-to-consumer sales of farmstead products and wine. Grouping farmstead products with wines is a contrivance. Selling wine at an off-site tasting room is still direct-to-consumer, and farmstead products can still be sold on-site. 	<p>I-16</p>

While the DEIR says that an off-site tasting room will eliminate 34-48 daily vehicle visits to the project site, those trips it says would be added to other county roadways, and to that obvious conclusion, we can only say "roadways not designated as the worst in the county," where such additional traffic would not create a significant impact. And while they admit that such a daily decrease in traffic would reduce potential impacts related to safety and pavement deterioration, subsequently referred to as insignificant, they counter that, in lieu of 34-48 vehicle visits a day there would be an increase in truck trips to get produce, cheese and wine to the off-site location. The report again erroneously lumps cheese and produce with wine. Several questions remain unreported on here. What size trucks are to be used? How many trucks a day, a week, a month, a year? How does that compare with the project's anticipated trucking, which was not adequately reported. Regardless of quantity and frequency of trucks, the elimination of wine tasting traffic on the worst road in the county is the elimination of drinking and driving related to the proposed project. That danger cannot be mitigated if there is an on-site, wine tasting room. And it cannot be mitigated if there are on-site wine tasting special events. The DEIR's claim that such dangers can be mitigated out of existence, making an environmentally superior off-site tasting room unnecessary, is unsubstantiated. The DEIR, as already indicated, fails to achieve such mitigations.

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Letter I

Byron LaGoy and Amy Rodney

July 19, 2016

- I-1** The comment is requesting additional information regarding the proposed vegetation removal at the entrance to the project site to facilitate better visibility.

As noted in the Draft EIR on page 3.2-18 in Section 3.2, Aesthetics, the “project proposes trimming or removal of vegetation in the right-of-way on Sonoma Mountain Road to provide sight distance for vehicles using and approaching the project driveway, consistent with the recommendations of the traffic analysis. Based on review by County Department of Transportation and Public Works and Permit Resource and Management Department staff, the required trimming or removal is expected to be limited to select trees and low growing vegetation along the roadway. Remaining vegetation behind the vegetation to be removed would continue to screen project elements, and the vegetation trimming or removal would not substantially alter views along Sonoma Mountain Road.”

- I-2** The comment asks what happens to the sound buffer if the vegetation is removed. The noise analysis, presented in Section 3.8, Noise, does not factor in the vegetation slated for removal at the project entrance as a “sound buffer.” Therefore, the removal of this vegetation would not affect the noise analysis prepared for the project.

- I-3** The comment asks how the project site would be screened if the vegetation is proposed for removal. Please see Response to Comment I-1.

- I-4** The comment states the Draft EIR has not evaluated the effects of project noise, glare, and lights from night-time events on wildlife migration through the corridor. Nor does the Draft EIR consider the impact on wildlife in the corridor that year-round noise from the creamery’s machinery will have on animals that use this corridor.

Section 3.4 of the Draft EIR, Biological Resources, evaluates the project’s effect on native wildlife. A biological assessment was prepared by Kjeldsen Biological Consultants, with additional surveys conducted by Dudek. Copies of the biological reports are included in Appendix D of the Draft EIR. Based on a review of the biological reports, a total of five special-status (protected) species are considered to have a moderate to high potential to occur on the project site (see Table 3.4-2, p. 3.4-9). CEQA requires that projects analyze the potential impacts on special-status plant and animal species, as well as on sensitive habitats, wildlife corridors, and waters of the U.S. Impacts on common wildlife species that are not considered special-status under

CEQA are generally not considered significant unless impacts are associated with the species' migration routes or movements, or the species are considered locally important. In the region of the project site, common wildlife species (e.g., deer, skunk, raccoon, possum, fox, crows, buzzards) would not be considered special-status species; however, impacts on their movements and migration routes would be considered significant under CEQA. Impact BIO-4, on page 3.4-27 of the Draft EIR evaluates wildlife movement corridors and the project site is not identified as a regional wildlife corridor. The closest designated migratory wildlife corridor, Sonoma Creek, is located approximately 5 miles east of the project site (CDFW 2016). As described in Section 3.4 of the Draft EIR, due to the density and type of vegetation (dense Himalayan blackberry brambles) along the stream channels onsite, any glare or increase in exterior lights from the proposed facilities would not constitute a significant impact. As described in Section 3.8 of the Draft EIR and further clarified in Master Response NOI, no outdoor amplified music or sound would be included as a part of any evening events, and the noise levels are much lower than applicable noise standards for the region. Machinery for operation of the creamery would be housed within a structure and would also not exceed applicable noise standards. This clarifying information has been added to the discussion of potential impacts to wildlife corridors. As previously determined, the project would not interfere with any wildlife movement if constructed. Impacts were found to be less than significant.

- I-5** The comment questions if it would be easier on the road to just truck out the small amount of raw dairy and return the finished product for sampling onsite. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the commenter's support of these alternatives is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- I-6** The comment notes that a traffic peer review prepared by Friends of Sonoma Mountain Road notes there is a deficiency regarding the size of truck used for project operation and the frequency of truck deliveries to the site. The peer review report referenced in the comment was not attached to this comment letter and cannot be evaluated by the County. The reader is referred to Master Response TRAFF-1 for a detailed response regarding the increase in project traffic, including truck traffic.
- I-7** The comment questions why the Off-Site Tasting Room alternative requires that produce tasting take place there as well since this would undermine project objective number 2.

The purpose of evaluating the Off-Site Tasting Room alternative was to reduce project impacts associated with use of the tasting room and construction of the hospitality building on the project site. As noted on page 5-10 of the Draft EIR, under this alternative the hospitality building would not be constructed. If the project were to operate an off-site tasting room but still allow people to come to the site and sample farmstead products, the noise, water usage, aesthetic, geology and traffic impacts associated with construction of the hospitality building and operation of a tasting room would not be reduced. By providing farmstead product tasting at the off-site location the need for visitors to come to the project site, aside from during agricultural promotional events, would be eliminated reducing some of the project impacts.

- I-8** The comment claims that the project objective of direct-to-consumer sales is not eliminated if the tasting room is located off-site and any suggestion otherwise is misleading. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- I-9** The comment notes that there is no mention of the Bennett Valley Area Plan and the policy that specifically prohibits commercial development. The reader is referred to Master Response LU-1 for more detail regarding to the Bennett Valley Area Plan and its relationship to the project.
- I-10** The comment questions the amount of rainfall in the County. The reader is referred to Master Response GWA-1 for more information on the assumptions used in the Groundwater Resources report.
- I-11** This comment states that the Draft EIR says there are no posted speed limit signs east of the Pressley/Sonoma Mountain Road intersection, which means there is a prima facie speed limit of 55 mph. This comment also states that there are suggested speed limit signs of 20 mph due to the narrow road just east of the intersection and questions if that doesn't invalidate the Draft EIR's assumption of a 55 mph speed limit.

The Draft EIR states on page 3.9-2 that "[T]here are no speed limits posted east of Pressley Road, making the section near the proposed winery frontage prima facie 55 miles per hour (mph). However, advisory speeds of 20 mph are posted on Sonoma Mountain Road near the winery frontage." The reader is also referred to Master Response TRAFF-1 for more information on traffic and safety.

- I-12** The comment states that a traffic consultant for Friends of Sonoma Mountain Road contends the Draft EIR findings that a 6% increase in traffic would have no significant impact on pedestrian and bicycle facilities. Please see Master Response TRAFF-1 that addresses concerns regarding pedestrian and bicycle safety.
- I-13** The comment expresses concerns related to the lack of bicycle and pedestrian facilities and safety. Bicycle and pedestrian facilities along Sonoma Mountain Road are detailed on pages 3.9-2 and 3.9-3 of the Draft EIR. It is noted that in the project vicinity, no sidewalks are provided and that according to the Sonoma County General Plan, Sonoma Mountain Road is designated as a proposed Class III bike route. A Class III bicycle route is defined as a designated roadway for bicycle use by signs and markings, and may or may not include additional pavement width for cyclists. More information pertaining to safety concerns for bicyclists and pedestrians is provided in Master Response TRAFF-1.
- I-14** The comment notes that in Chapter 5, Alternatives, under the Off-Site Tasting Room Alternative analysis, the reduction in vehicle trips on Sonoma Mountain Road would reduce potential safety impacts although no mention is made specific to pedestrians and cyclists. Information pertaining to safety concerns for bicyclists and pedestrians is provided in Master Response TRAFF-1.
- I-15** The comment expresses an opinion that people would not choose to go the long way around to access the project site even if they did see a request on-line to not use Sonoma Mountain Road coming from Glen Ellen or Rohnert Park. Please see Response to Comment C-13, which responds to this concern. The reader is also referred to Master Response TRAFF-1 for more information on safety.
- I-16** The comment claims that the Draft EIR admits the No Tasting Room Alternative is an environmentally superior alternative even though it would eliminate the direct-to-consumer sale of wine and farmstead products. The comment also claims that selling wine at an off-site tasting room is still direct-to-consumer and farmstead products could still be sold on site.

The commenter is correct, on page 5-19 the Draft EIR, it states that the No Tasting Room Alternative would be the environmentally superior alternative even though it would not meet the objective of direct-to-consumer sales of wine and farmstead products. This is not to be confused with the Off-Site Tasting Room Alternative. The No Tasting Room Alternative would eliminate the construction of the hospitality building and does not include a tasting room at an off-site location. For that reason, this alternative would eliminate the possibility for direct-to-consumer sales of wine

and farmstead products either on- or off-site. Please refer to Response to Comment I-7 regarding the sales of both wine and farmstead goods at an off-site location.

- I-17** This comment expresses concerns regarding the Off-Site Tasting Room Alternative and the amount and frequency of trucks that would be required to move wine and cheese offsite. This comment also states that eliminating the tasting room and special events is the only way to mitigate the dangers of drinking and driving. Please refer to Master Response TRAFF-1 for information regarding truck trips and frequencies that would be required for an off-site tasting room and safety of Sonoma Mountain Road.

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Comment Letter J

Crystal Acker

From: Melinda Grosch
Sent: July 20, 2016 5:08 PM
To: Crystal Acker
Subject: FW: Comments on Belden Barns DEIR
Attachments: Howard signature-2.pdf

Melinda G.

OFFICE HOURS: PRMD's Public Lobby is open Monday through Friday from 8:00 AM until 4:00 PM, except Wednesdays, open from 10:30 AM to 4:00 PM.

From: Howard Wilshire [mailto:howardgw@comcast.net]
Sent: July 20, 2016 4:48 PM
To: Melinda Grosch
Subject: Comments on Belden Barns DEIR

July 20, 2016

Melinda Grosch, Senior Environmental Specialist

Melinda.Grosch@sonoma-county.org

Comments on Belden Barns DEIR focused on Geology/Soils Sections

Dear Ms Grosch,

Following are comments of Howard Wilshire, Geologist, Ph.D. on the subject DEIR , focused on the Geology/Soils Sections.

My summary opinion is that the DEIR is a major failure with regard to potential landslide hazards. It fails to discuss the limitations of the huge range of map scales in different publications as well as the ages of reports that are so old as to exclude the numerous landslides from major storms affecting this region that post-date their publication. The preliminary site-specific report is grossly insufficient in testing of slope stability, inside and outside of the identified landslides, or on adjacent slopes, inside or outside of the property, whose slopes and slope-orientations indicate potential risk of landsliding. The DEIR's dismissal of seismic ground shaking posing any hazard of reactivation of existing landslides or creation of new ones is not credible. The conclusions that landslides are of less-than-significant potential impacts and need no mitigation are based largely on a preliminary reconnaissance report that is very incomplete, and likely inaccurate, but then bizarrely states that a real geotechnical report required, but not yet produced, by building codes will not only address needs specific to foundations, but will surely discover any other slope stability issues of a broader nature—that is to say, that the preliminary report is good enough by itself to label the geologic hazard of landsliding unimportant.

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I suggest an Alternative that combines the No Events Alternative with the Off-Site Tasting Room Alternative, which would substantially reduce the risk of injury and property damage from landsliding.

J-4

All page numbers referencing the DEIR are cited are in sequential order of the DEIR pdf ; pages referencing an Appendix are in sequential order in the Appendix pdf file, and are labeled as from the Appendix pdf file.

For each item critiqued here, I start with what is stated in the DEIR (or Appendix), edited to shorten the statements placed in italics, and follow each item with my comments in plain type.

DRAFT ENVIRONMENTAL IMPACT REPORT

3.5 GEOLOGY AND SOILS.

p. 197. Documents supporting geologic/soils assessments include Appendix E, Reese and Associates 2013 report, described by the authors as a letter reporting on their Preliminary Geologic Evaluation of the site; published geologic maps and reports; and online resources.

The Reese letter does not constitute a geotechnical report, and lacks many facets of a site-specific geologic report required to support a permit to develop as proposed by the Belden Barns project. It is nevertheless cited throughout the DEIR as a source of critical information needed to evaluate the project proposal, to fully describe geologic hazards, and mitigations thereof. It further conflicts directly with untitled Appendix, pages 248-264 (Appendix pdf file), and with maps cited as supporting documents by the DEIR. All published geologic maps cited as bases of this section are at scales NOT appropriate for site-specific applications, in particular CDMG Special Report 120 that specifically states that such applications are inappropriate.

J-5

p. 199. Appendix E is cited as stating the Rodgers Creek fault, that devastated Santa Rosa in 1969 is 1.9 miles from the project site. Appendix F places it 1.5 miles from the site.

J-6

p. 200. Ground Shaking. Earthquakes on the major active faults in the region—San Andreas, Rodgers Creek, Green Valley, and West Napa Faults—could cause significant ground shaking at the project site.

The likelihood of such shaking is assessed by a probabilistic seismic hazard assessment (PHSA), which has fared poorly in its predictive ability in its application—in the last two decades a number of major earthquakes have occurred in the Pacific rim, none of which were predicted. Both the area of Belden Barns and its principal rock formations show high susceptibility to landsliding. The risk of triggering new or reactivation of existing slope failures by earthquakes is given a nod, but should not be minimized as it is in this DEIR.

J-7

p. 200. Landslides/Slope Stability. Discussion consists of elementary identification of factors that can affect susceptibility of a slope to failure.

Noteworthy is the complete lack of any site-specific quantitative slope stability studies in the DEIR or cited references. The only relevant site-specific study, Appendix E, is a preliminary report that provides no relevant quantitative information on slope stability. Cited studies, including Appendix E, show very inconsistent, and poorly documented, locations of landslides on the project site, and ignore one report (untitled Appendix, pages 248-264 (Appendix pdf file), which maps a landslide that affects portions of the proposed development footprint.

J-8

p. 201. *Landsliding directly affecting the Belden Barnes property is said to have been assessed by aerial photograph interpretation, on-site reconnaissance, review of relevant maps, and review of prior trenching work [“that, in places, revealed evidence of transported material...”] performed for a previous owner. Two landslides were confirmed by Reese & Associates.*

J-9

The contradictory locations of landslides on the Belden Barnes property in three separate reports, the incomplete and preliminary nature of the Reese report and the absence of any slope stability analysis of the property greatly reduces the credibility of the DEIR’s assessment of the suitability and completeness of the mitigations for the project proposal.

Fault Rupture Hazards And Mitigations

p. 206-207. *Impact GEO-1: Project could expose people/structures to substantial adverse effects, including risk of loss, injury, or death, involving:*

a. Strong seismic ground shaking. This would be a less-than significant impact .

Seismic ground shaking is an unavoidable hazard for nearly all man-made facilities in the region. The proposed facilities are likely to experience ground shaking from at least one major earthquake (e.g. > 6.7) sometime during operational life. PSHA predicts levels of ground shaking, while relatively improbable, are severe to violent.

The proposed project would not increase or exacerbate the probability or severity. The change in use of the site open to the public means the occupancy of the on-site structures would increase.

J-10

The preliminary geologic evaluation (Appendix E) provides the information necessary to adequately inform the soil conditions, geologic risks, and constraints on the project site. The landslide mapping and excavation of test pits provide strong evidence that the proposed improvements are located in an area not subjected to past landslides and that the landslides are far enough away that no additional mitigation measures are warranted.

Appendix E is preliminary, and incomplete in lacking any credible assessment of slope stability, makes no assessment of risk of renewed activation of existing landslides, or formation of new ones, on or off-site that might affect the project; ignores evidence (untitled Appendix, log of Site Well, figure 3, **p. 258 Appendix pdf file**) that indicates the development footprint lies at least partly within an old landslide].

Building standards do not provide any guarantees of safety for violent shaking that cannot be estimated from probabilistic methods (PSHA) used here to downplay the risk of a major earthquake. Those methods have failed in their application to any of several major earthquakes in the recent past. The analysis presented does not support the conclusion that “the impact of the project on exposure of people or structures to strong seismic groundshaking would be less than significant.”

J-11

c. Landslides. This would be a less-than-significant impact

p. 208. *Two landslide masses have been mapped in the southern part of the property, greater than 340 feet from proposed development. The closest landslide to the proposed development was determined to be an old landslide, not recently active. The slopes on site are predominantly less than 20%. 20 test pits were excavated that helped determine the northward extent of the old landslide. Based on Appendix E, no mitigation measures*

J-12

are warranted because the proposed facilities are judged to be far enough from the landslide that earlier work for a previous proposal indicated that a 150-foot buffer from the limits of the suspected landslide mass is a conservative limit.

This assessment makes the unstated assumption that the only landslide issue is reactivation of the old landslide, depends on determination from 20 pits dug to determine the northward extent of the old slide but does not provide the logs of those pits so that the quality of this determination can be judged, depends on a buffer zone determination made by an uncited report, and does not indicate what function the buffer zone serves, and lastly, without justification, claims that Appendix E allows a conclusion that no landslide mitigation is required and that landslides “would” be a less-than-significant impact.

p. 208. *Following the above-describe paragraph, it is stated that the methods and analyses contained in Appendix E are adequate and appropriate for a preliminary level evaluation, and as discussed before a detailed design-level geotechnical investigation of the project as required in compliance with CBC would further refine grading, site-preparation, and foundation design recommendations prior to issuance of the site grading and building permits. This would ensure potential impacts related to slope instabilities would be addressed, and the impact of the project on exposure of people or structures to landslides would be less than significant.*

This conclusion is a statement of faith that a geotechnical report will reveal anything the preliminary report failed to observe with regard to landslide hazards, ignores the complete inadequacy of the site preliminary reconnaissance as described above, presupposes that no risks would be discovered that can't be fixed, without so much as mentioning what would be an adequate geotechnical report regarding slope stability studies beyond the very restricted goals of “refining” grading, site-preparation, and foundation designs.

The conclusions that landsliding is a less-than-significant impact and no mitigation is required stretch what is known about the geology of the site beyond the breaking point.

J-12
Cont.
J-13

CHAPTER FIVE
ALTERNATIVES

List of alternatives is incomplete. I recommend inclusion of an alternative that combines the No Events Alternative with the Off-Site Tasting Room Alternative.

J-14

Sincerely, 

Howard Wilshire
3727 Burnside Rd.

Sebastopol, CA 95472

Email: howardgw@comcast.net

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Letter J

Howard Wilshire

July 20, 2016

- J-1** The comment expresses the opinion that the DEIR fails to identify the landslide hazards on the project site and vicinity. The commenter is referred to Responses to Comments H-8 through H-10 for responses to the landslide issue, and related edits to the Draft EIR.
- J-2** The comment expresses the summary opinion that the Preliminary Geologic Evaluation (Draft EIR Appendix E) is insufficient. The comment is noted, and individual issues addressed below. The commenter is also referred to Responses to Comments H-8 through H-10 for responses to the landslide issue, and related edits to the Draft EIR.
- J-3** The comment claims the EIR dismisses the potential for seismically-induced landsliding, and considers the preliminary geologic evaluation (Draft EIR Appendix E) as an insufficient basis upon which to conclude the impact would be less than significant.

As an initial matter, this is an impact of the environment on the project, and is outside of the scope of CEQA. The County considers these issues in its environmental document only as a matter of policy. The evidence presented in Draft EIR Appendix E is adequate to establish the proposed structures are located outside the highest hazard areas (i.e., the existing landslide materials), and the residual risk from geologic and seismic hazards is acceptable, given standard requirements of the County code and CBC. It is not reasonable or necessary to conduct more complex or detailed landslide hazard studies (e.g., factor of safety analysis, rock strength testing, Newmark method etc.) to determine the remaining landslide risk for the project considering that (a) it does not involve an increase in overnight occupancy, (b) there are no building footprints within existing landslide deposits, and (c) it is located on topographic divide that is absent of over-steepened slopes. The rationale behind the determination of CEQA significance is further clarified in Responses to Comments H-8 through H-10.

Contrary to the commenter's claim, it is not "bizarre" for design-level geotechnical reports to post-date the CEQA process, as long as there is sufficient data to substantiate the CEQA significance conclusions, i.e., demonstrate the project has been sited and designed in consideration of geologic constraints. As discussed in Draft EIR Section 3.5, Appendix E provides a preliminary evaluation of geologic risks on the site including the limits of the existing landslide; and preliminary recommendations to address soil conditions, earthwork/grading, and foundation

designs. In discussing the CBC and County code requirements, the Draft EIR does not presume that the required design-level geotechnical report would discover any unique or previously unknown hazard on the project site. It is included in the analysis to indicate proposed structures would be constructed to current seismic standards, and that preliminary geotechnical recommendation could be refined and/or added to as plans and specification are reviewed by the County for conformance with the CBC and grading and building permit requirements.

J-4 The comment suggests a combination of the no Events Alternative with the Off-Site Tasting Room Alternative. Such an alternative would not “substantially reduce the risk of injury and property damage from landsliding,” because the project-related increase in landslide exposure is already very low, and determined to be less than significant.

J-5 The Draft EIR does not characterize Appendix E as a geotechnical report, and the comment is not specific about why the methods in Appendix E are inadequate to locate landslide deposits, and thus insufficient to support the impact analysis under CEQA.

The commenter cites several sources of geologic information and maps that are not appropriate for site-specific applications. The County agrees, which is why such sources were evaluated on a site-specific basis in Draft EIR Appendix E. Given the regional scale of published reports, Reese and Associates performed focused review of aerial photographs, on-site reconnaissance, and excavated 20 test pits to define the limits of the on-site landslide, as described in Appendix E and Draft EIR Section 3.5. Therefore, Appendix E represents the best available data with regard to the geographic limits of the mapped landslide deposits. The pages cited by commenter is an older groundwater report (attached to Draft EIR Appendix B [Original IS/MND]), that relies on regional geologic maps and one well log to make its interpretation, and does not integrate the site-specific findings of Appendix E with regard to landslide deposits. The groundwater report referenced by the commenter is outdated and has been replaced by Draft EIR Appendix F.

J-6 The comment points out an inconsistency in the distance of the Rodger’s Creek Fault from the project site, as indicated by Appendix E (1.9 miles) and Appendix F (1.5 miles). The difference in distance is likely attributed to differences in the measurement method and/or sources of fault data used. The County notes this discrepancy; however, it does not affect the validity of the analysis or conclusions in the Draft EIR. To present the most conservative information and clarify the measurement method, the following sentence in the last paragraph of Draft EIR pg. 3.5-3 is edited as follows:

“According to Appendix ~~F~~E, the closest active fault to the proposed project is the Rodgers Creek fault, the closest strand of which is

located approximately 1.95 miles southwest of the project's southwestern corner site."

- J-7** The comment claims that probabilistic seismic hazard assessment (PSHA) method of estimating earthquake hazards “fares poorly in its predictive ability.” As indicated in the Draft EIR on page 3.5-4, a PSHA aggregates a range of possible earthquake sources and estimates their characteristic magnitudes to generate a probability map for ground shaking. It is not a tool that predicts earthquakes or indicates the maximum degree of ground shaking any one place could ever conceivably experience. The commenter is also referred to Responses to Comments H-8 through H-10 for responses to the landslide issue, and related edits to the Draft EIR.
- J-8** The comment alleges there is no site-specific information provided that addresses slope stability. The commenter is referred to Responses to Comments H-8 through H-10, J-3 and J-5, above.
- J-9** The comment expresses concern regarding the number of reports produced or referenced, and the perceived inconsistencies found therein. It should be noted that it is common for published sources of geologic information to be inconsistent or not in full agreement, especially at a regional scale. The purpose of site-specific reports referenced as appendices in the Draft EIR is to collect additional data to confirm or refine what is already known regionally about the geologic, seismic and landslide setting of the site. Please refer to Responses to Comments H-8 through H-10, as well as Response to Comment J-3 above, for information related to the landslide issue, and edits to the Draft EIR.
- J-10** The comment is addressing slope stability and existing landslides. The commenter is referred to Responses to Comments H-8 through H-10, J-3 and J-5 above.
- J-11** The comment claims the PSHA is inadequate to characterize the shaking risks on the project site. The PSHA is provided in the Draft EIR as a reference point for communicating the high peak ground accelerations that could be experienced on the Project site. The PSHA indicates severe to violent ground shaking is possible on the project site, and does not “downplay” the seismic hazard risk. The commenter is referred to Response to Comment H-10 for further information. The PSHA is also not the primary basis used in the Draft EIR for concluding the impact of seismic ground shaking would be less than significant. As indicated under Impact GEO-1 in the Draft EIR, a qualified geotechnical engineer will be retained to prepare a design-level geotechnical investigation for submittal to PRMD as a standard condition of approval. Seismic design

parameters will be calculated at that time in accordance with the CBC and applicable County codes to ensure the proposed structures are seismically resistant.

J-12 The comment is referencing old landslides and is requesting information be provided on the test pits. The commenter is referred to Responses to Comments H-8 through H-10, J-3 and J-5 above. The County acknowledges that the Draft EIR focused on reactivation of the existing landslide deposits as the primary issue, and in doing so, did not clearly communicate the overall risk of landslides in the general area. As indicated in Response to Comment H-8, the Draft EIR has been edited to clarify that there is a residual risk of earthquake-induced landslide hazards in the vicinity. However, the impact is nevertheless judged to be less than significant based on the minimal increase in exposure risk introduced by the project and the gentle to moderate slopes on the project site. The County agrees that logs of the test pits should be provided (so that the determinations of whether the material observed is in-place or landslide debris can be independently judged). The reference for the 150-foot setback is cited as "Giblin Associates 2003", and refers to correspondence with the County regarding previous geological investigations on the site, including discussions of what setback would be appropriate. It is available in the administrative record.

J-13 The commenter expresses concern that the Draft EIR conclusion with regard to landslides is based on a presupposition that the design level geotechnical report will discover any concerns not revealed in the preliminary geologic evaluation of the project site. As discussed in Responses to Comments H-8 and J-3 and clarified in edits to the Draft EIR, the impact determination is based on the project's minimal increase in public exposure risk to landslides. Considering the nature and occupancy of the project, the County considers avoidance of the existing mapped landslide as sufficient to substantially minimize project-related effects regarding public exposure to landslide hazards. The project does not and cannot feasibly reduce the risk to zero considering the geologic setting discussed in the Draft EIR.

J-14 The commenter states the alternatives analysis in the Draft EIR is incomplete and recommends an alternative that combines the No Events Alternative with the Off-Site Tasting Room Alternative.

The Alternatives analysis included in Chapter 5 of the Draft EIR evaluates a No Tasting Room alternative, which eliminates operation of the tasting room; an Off-Site Tasting Room alternative that would allow for operation of a tasting room off site, most likely in a developed area such as the cities of Santa Rosa or Rohnert Park; and an alternative that eliminates all on-site events (No Events Alternative). The CEQA Guidelines Section 15126.6 requires an EIR "describe a range of reasonable

alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” Based on the impacts identified for the project and comments received in response to the Notice of Preparation, the County selected a reasonable range of alternatives to evaluate. The range of alternatives provided is adequate and meets the intent of the CEQA Guidelines. Please see also Response to Comment E-7.

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Comment Letter K

From: Donna Parker [mailto:donna@winepro.com]
Sent: July 29, 2016 2:02 PM
To: Melinda Grosch
Cc: Melinda Grosch
Subject: Belden Barns DEIR

WINE PRO RECRUITERS
#10 Fourth Street, Suite 215
Santa Rosa, CA. 95401
707 571-0400

Ms. Melinda Grosch:
I have been working in the wine industry in Sonoma County for 35 years and have a thorough understanding of what works and what is necessary for wine marketing success.
www.wineprorecruiters.com.

With respect to the Belden Barns project, the following is just one of many marketing ideas for an off-site tasting room and cheese-making facility. The tasting room and cheese making facility would be in the Glen Ellen or Penngrove area. Visitors can tour the cheese factory to see how cheese is made and then go to the tasting room next door to taste wine with the cheese. Then, they will be driven up the hill for a personal tour of the winery to see how wine is made, as well as how the vegetables and fruits are grown and taste them. They then will be shuttled back to the tasting room to taste more wine, cheese, veggies and fruits. Sales would certainly consummate at that point, as visitors would be inclined to make a purchase after having this experience. This would be novel and marketable, as there is nothing like this in Sonoma County.

K-1

With this type of idea, or a permutation thereof, the following impacts are eliminated: noise from the chiller on 24 hours a day seven days a week; cheese factory wastewater problems; drinking and driving on Sonoma Mountain Road; reduce car and truck traffic; reduce further damage to the road. And, people will connect with the property as the applicant desires. If the applicant is open to ideas, I would be happy to assist.

K-2

Thank you for your time and concern.
Donna Parker

cc: Supervisor Susan Gorin

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Letter K

Donna Parker

July 29, 2016

- K-1** The comment offers a suggestion for an off-site tasting room and cheese making facility to be located in the Glen Ellen or Penngrove area. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment's suggestion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- K-2** The commenter notes that if the project did not include a tasting room or a cheese making facility, impacts identified associated with noise, wastewater disposal, and traffic would not occur. As documented in the Draft EIR, the project, as currently proposed with the on-site tasting room and cheese making facility, would result in greater impacts than the No Project Alternative. However, the project would not result in any significant, non-mitigatable noise, wastewater disposal, or traffic impacts.

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Comment Letter L

July 29, 2016

To: Melinda Grosch, Planner III, Planning Project Review Division, PRMD

From: Amb. (ret.) Michael Guest, 255 Sonoma Ridge Road, Santa Rosa, CA

Re: Draft Environmental Impact Report for PLP12-0016

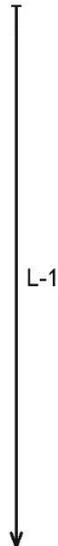
Dear Ms. Grosch:

I have reviewed the Draft Environmental Impact Report for the proposal by Belden Barns to build a winery, creamery and hospitality center at 5561 Sonoma Mountain Road, directly across from my property. I wish to offer the following observations.

The California Environmental Quality Act (CEQA) is, as you know, at heart a public's right-to-know law. Its clear intent is to ensure that the public, as well as those who take decisions on behalf of the public, fully understand the various environmental impacts of a proposed project before a decision is taken on whether to allow that project to proceed.

From that vantage point, the draft Environmental Impact Review for this project is severely deficient. On virtually every issue, it obscures rather than clarifies the impact this project would have on those of us who live in its vicinity. In brief:

- Road Safety:** The DEIR completely misses the fundamental point that Sonoma Mountain Road is laid on clay, without proper engineering, and never was constructed with a view to supporting heavy commercial vehicles and other traffic associated with what would be, in fact, commercial operations. It neither addresses nor allays concerns that introduction of heavy commercial vehicles onto a road that has had one washout (to the east of the proposed project) and two small cave-ins, both in the past two years (to the west) not only puts at risk the lifeline of those who live here, but threatens to worsen the condition of that road and thereby increase the already substantial gap in the County's attention to road maintenance needs. It completely ignores the safety issues associated with wine-related events being held on a road known for its sudden pitches, narrow points of passage, and lack of nighttime lighting - and ignores as well the impact of winery-generated traffic on cyclists, pedestrians, and emergency vehicle access. Its traffic analysis low-balls the estimates of traffic volume that will be entailed by what the applicant himself admits is intended to be a destination-draw winery, and appears to accept the unrealistic expectation that patrons somehow can be made to avoid the narrowest portions of the road. Surely all of these prospective impacts should be evaluated fully within the DEIR, as they are at the heart of the concerns that have been expressed about this project since its inception. (As I and others have written to PRMD previously



about these and other safety issues associated with placing winery and creamery operations on Sonoma Mountain Road, my concerns are amply on the record, incorporated herein, and need not be repeated in further detail.)

- Noise:** Likewise, the DEIR appears to deliberately minimize the fundamental acoustical impact on those of us who live within direct earshot of the proposed project. In conducting its assessment, Dudek made no effort to explain or evaluate how sound actually travels – outward and unobstructed through the air, from the Belden property to adjacent properties (including mine, which sits merely 10 feet below the altitude of the proposed winery, and 20 feet below that of the proposed creamery). The DEIR references but fails correspondingly to evaluate the mountain’s amphitheatrical projection of sound upward – projection such that the conversations of individual vineyard workers can be heard, word-for-word, on our property, and that noise from events that have been held to date at Belden Barns carries considerably to and through the windows of our home, at levels that cannot be deemed insignificant. (There are ample accessible studies of the impact of mountains and air currents on how sound travels. I ask that PRMD direct the DEIR consultant to research and report these studies and their findings.) The DEIR’s discussion of FICON and federal highway noise standards appears ridiculously irrelevant to the issue at hand, i.e., how sound travels in this particular area, and its impact on the surrounding environment. Discussion of traffic focuses on *daily* traffic levels, thereby spreading out event impacts in a way that understates noise levels attached to individual events and winery/creamery/hospitality hours of operation. Noise from the parking area at the time of events appears, in that respect, to be particularly underplayed, given the cumulative impact of multiple departing customers, conversation, laughter, horns, and car arrivals and departures from the parking area at the same time. There is no attention to the noise generated by the creamery or by the truck turnaround point, both to be located at levels higher than the proposed winery (see earlier comments about the upward and outward projection of sound associated with mountainous locations). And while the DEIR acknowledges that current noise levels along the road are low, it inexplicably fails to evaluate noise levels associated with running winery and creamery equipment coincidentally, or to acknowledge that noise associated with both regular operations and special events would represent, for neighboring properties such as mine, a significant noise-level increase.
- Sight Lines:** The DEIR posits that trees along the road effectively screen the proposed operations from road-level view – potentially at odds with “mitigations” that include removal of some of the very vegetation along the road that provides that screening. But from the vantage point of my property – again, merely 10 feet below the level of the proposed winery, and 20 feet below the level of the proposed creamery – those screenings already appear to be inadequate to assure either sight-line protection or negative acoustical

L-1
Cont.

L-2

L-3

impact. There are no sight-line or acoustical mitigations for those living parallel to the property, or indeed for those visiting the new North Sonoma Mountain Regional Park and Open Space Preserve, in which the County reportedly has invested to the tune of some \$20 million or more, for the enjoyment of its citizenry and for the protection of wildlife corridors. (Note: attention to the acoustical impact of winery/creamery/hospitality operations on those wildlife corridors clearly deserves evaluation as well, to ensure that this proposal does not negatively impact another County priority. End note.)

↑ L-3
Cont.
↓ L-4

- **Water:** I declined participation in the hydrology study, partly due to PRMD’s erroneous attestation that there would be no indemnification in the event of pump failure caused by the proposed test. (I later learned that the county indemnifies Dudek, which thereby would have allowed me to be indemnified in those circumstances.) However, my reading of the report affirms that the testing conducted by Dudek – on an abandoned well, at low volumes not representative of those associated with running winery and creamery and hospitality operations full-bore – is insufficient to the intended purpose and cannot pass any reasonable “smell test.” Others who participated in the “study” (sic) can better comment on its blatant insufficiencies. However, I would note that a hydrology test of any sort in such a narrowly circumscribed geographic area as that undertaken by Dudek ignores the geology of this particular area, one suggesting that the proposed winery/creamery operations could very well tap into water sources used by other residents considerably further afield – residents who may not have been even notified of the proposal. Even neighbors immediately to the north of my property were not included in the ill-considered study! It would be wise on the County’s part to consult with qualified geological experts on how to construct a more effective hydrological test, one more mindful of the water rights of a much wider circle of potentially impacted citizens, in keeping with the geological strata that define this region.

↓ L-5

- **Area Compatibility:** I’ve written previously to PRMD and to the Board about the incompatibility of commercial operations with specific provisions of the Bennett Valley Area Plan (BVAP) and of how, under properly functioning democratic precepts, a General Plan should not be allowed to take precedence over citizens’ concerns as expressed in a local community development plan (such as the BVAP). The DEIR ignores the BVAP’s prohibition of commercial operations, and its call for any development to respect the area’s rural character. The wine industry asserts, of course, that anything that supports agriculture is not to be considered “commercial,” and the County has blindly accepted that assertion. This flies in the face of reality: commercial operations in agricultural areas change the character of those areas, and they in fact need not be located in those areas to be supportive of agriculture. Left unchecked, this sort of commercial expansion also threatens the social fabric of the County, as evidenced by the

↓ L-6

increasingly vocal citizen objections to wineries and winery events. I ask that the County evaluate these points more reflectively in the context of its consideration of this DEIR.

L-6
Cont.

- **Sustainability:** Finally, I should point out that the project proposal repeatedly suggests that this is a “sustainable” operation – casting on itself a more positive light than is deserved. Most milk for the proposed creamery would be trucked up the mountain – creating greenhouse gases that are hardly compatible with any reasonable definition of sustainability. The DEIR does not address this, nor does its inadequate evaluation of hydrology give any reason to assume that the operations will, from that standpoint, be sustainable – particularly in ongoing drought conditions. And the sustainability impact of these operations on Sonoma Mountain Road – its expected life and drivability, and the emergency services important to its residents – are not evaluated in the DEIR.

L-7

There are any number of alternatives that, from the standpoint of impact, would be preferable to the proposal currently on deck. The applicant can continue to grow and harvest grapes without placing a winery and associated tasting room, events, and cheese-processing facility in an area with inadequate infrastructure to sustain it. The applicant can place a creamery in a location adjacent to the cows that provide the raw product – or indeed procure cheese from an existing creamery, thereby supporting wider economic development. The applicant need not have a tasting room and events in such an out-of-the-way location – again, one with inadequate infrastructure, and where the dangers of the road suggest that adding wine-tasting and -dining clients would put one individual’s personal commercial interests ahead of community and broader public safety concerns. In sum, the DEIR leads the reader to believe that the current proposal is as good as any. It is not, for the reasons cited above.

L-8

Finally, as alluded to above, I deeply regret that County authorities have yet to undertake a serious assessment of the broader impacts that barely constrained winery expansion is having on quality of life for the County’s citizens, and indeed on the sustainability of the County’s rural character. This is the responsibility of the Board of Supervisors, of course. But preparing a proper EIR is an important start – and this one falls far short of the mark. For the reasons noted above, I ask that consideration of this project be shelved until a proper DEIR can be prepared, presented and evaluated – one that properly and directly addresses the issues in each of the above categories that so many of us who have invested our fortunes and our futures in this vicinity have raised repeatedly with County officials over the four years that this project has been under consideration. This DEIR flatly does not do so.

L-9

cc: The Honorable Susan Gorin, Supervisor, District One
Ms. Rose Zoia, Attorney-at-Law

Letter L

Michael Guest

July 29, 2016

- L-1** The comment states that Sonoma Mountain Road wasn't engineered to support heavy commercial vehicles and claims that the Draft EIR does not address concerns related to how heavy commercial vehicles would put other drivers at risk and worsen the condition of the already poorly maintained road. The comment goes on to state concerns with safety issues associated with wine-related events and impacts of project generated traffic on pedestrians, cyclists and emergency access, as well as traffic volumes reported in the Draft EIR. All of these concerns are addressed in Master Response TRAFF-1.
- L-2** The commenter asserts that the Draft EIR made no attempt to discuss or evaluate how sound actually travels, upward and outward, from the project site to adjacent properties and the amphitheater or "bowl" effect. The comments goes on to note that the Draft EIR's discussion of FICON and federal highway noise standards is irrelevant because it focuses on daily traffic levels, which spreads out event impacts in a way that understates noise levels attached to individual events and hours of operation. In addition, the comment states that noise from project operation associated with running the winery and creamery equipment was not addressed. Please refer to Master Response NOI-1 which addresses the concerns raised.
- L-3** The comment states that the removal of trees near the project entrance would potentially conflict with the mitigation that requires removal of vegetation near the project entrance and states this vegetation is not adequate to protect sight-line views or noise for people living near the project site or visitors to North Sonoma Mountain Regional Park.

As discussed in the Draft EIR in Section 3.2, Aesthetics, the project is proposing to trim and remove some vegetation located immediately adjacent to the road to improve driver sight-line visibility. Vegetation set back further from the road would be retained. This is addressed on page 3.2-18 in the Draft EIR and notes the "project proposes trimming or removal of vegetation in the right-of-way on Sonoma Mountain Road to provide sight distance for vehicles using and approaching the project driveway, consistent with the recommendations of the traffic analysis. Based on review by County Department of Transportation and Public Works and Permit and Resource Management Department staff, the required trimming or removal is expected to be limited to select trees and low growing vegetation along the roadway. Remaining vegetation behind the vegetation to be removed would continue to screen

project elements, and the vegetation trimming or removal would not substantially alter views along Sonoma Mountain Road.”

Views of a project by a limited number of individuals (i.e., neighbors) does not constitute public views and is typically not evaluated under CEQA. (See *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, holding that if agency policy does not protect private views, then impacts to such private views are not significant impacts under CEQA.) The Draft EIR evaluated public views of the project site from two scenic vistas in the adjacent North Sonoma Mountain Regional Park and Open Space Preserve: the Bennett Valley Overlook and the Umbrella Tree Trail Overlook. In addition, five other public viewpoints were evaluated. Based on the visual simulations prepared for the project, views of the project site from public vantage points would not exceed the County’s thresholds and visual impacts were determined to be less than significant.

The noise analysis performed for the project, which included noise from project construction and future project operation, determined that noise associated with operation of the project would not exceed the County’s noise thresholds and impacts were determined to be less than significant. In addition, the noise analysis, presented in Section 3.8, Noise, does not factor in the vegetation slated for removal at the project entrance as a “sound buffer.” Therefore, the removal of this vegetation would not affect the noise analysis prepared for the project.

- L-4** The comment states the noise impacts of the project on wildlife corridors needs to be evaluated. Please see Response to Comment I-4, which addresses the same concerns.
- L-5** The comment provides an explanation for the commenter’s non-participation in the well study, and then states that the well study should have been broader geographically. The study had adequate participation and obtained adequate data notwithstanding the commenter’s non-participation. The reader is referred to Master Response GWA-1, which provides more specific detail and information pertaining to the groundwater report prepared for the project.
- L-6** The commenter states he has provided previous correspondence to the PRMD regarding the incompatibility of commercial uses with the Bennett Valley Area Plan. The reader is referred to Master Response LU-1 for more detail regarding the Bennett Valley Area Plan and its relationship to the project.
- L-7** The comment indicates that the project would not be sustainable because most of the milk for the creamery would need to be trucked to the site and would generate an increase in greenhouse gas emissions.

- The project would require approximately 65%–70% of the milk for the creamery to come from other dairies in the surrounding area and would be shipped biweekly to the site via truck. The impacts associated with the increase in truck deliveries, employees and visitors coming to the site were quantified in the traffic analysis (see pages 3.9-16 through 3.9-18). This information was also used to quantify the greenhouse gas emissions provided in Section 3.6. Based on the analysis provided in Section 3.6, the project would not generate an increase in greenhouse gas emissions that would exceed established thresholds.
- L-8** The comment expresses an opinion that there are many alternatives that would be preferable to the proposed project and that it is not necessary for wine and cheese production to occur on a site with inadequate infrastructure located on a dangerous road. The commenter lists growing and harvesting grapes without a winery and associated tasting room, placing a creamery in a location adjacent to cows, or procuring cheese from an existing creamery as potential alternatives. Please see Response to Comment E-7 that responds to what constitutes an adequate range of alternatives to consider. The commenter's suggestions are noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- L-9** The commenter is expressing his opinion that the County needs to address some of the broader issues associated with winery projects including quality of life, and sustaining the rural character of the County. The commenter goes on to state that the Draft EIR prepared for the proposed project does not adequately address the issues (stated in Comments L-1 through L-8) and needs to be redone. Please refer to responses to those comments above. The comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

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Comment Letter M

From: Dan Viele [mailto:danviele@sonoma.com]
Sent: July 30, 2016 12:25 AM
To: Melinda Grosch
Subject: Belden DEIR Comment from Neighbor

Belden DEIR Report
June 2016
5561 Sonoma Mountain Road
Santa Rosa, CA 95404
PRMD File PLP12-0016

Dear Melinda;

I have attended past meetings about this Project, and attended the Draft EIR meeting July 19th and spoke about the project as a neighbor. I live on Mountain Meadow Lane off Sonoma Mountain Road with a dozen other families about a half mile South from the Belden Farm. We are all concerned about the implications of a Wine Tasting, Retail Facilities, and Events on our treacherous access road, Sonoma Mountain Road between Bennett Valley Road in Santa Rosa and Warm Springs Road in Glen Ellen.

We are pleased that the DEIR now includes alternatives 5.4, including 5.4.1-4. We believe 5.4.2-4 are appropriate: No Tasting Room on site, off site Tasting Room on a safer road, and no Public Events.

M-1

We believe enough has been said about the condition of this road, Sonoma Counties Worst, as well as it's nature: steep blind curves, no shoulders or rails at precipices, and often single lanes as well as areas eroded each year by Matanzas Creek causing bottlenecks. The road is used by rural residents and their service providers as well as a bicycling destination, often delivering large groups of relatively inexperienced bicyclists traveling on vacation.

M-2

That an Alcohol Tasting Room is contemplated at all astounds most of the people on the hill. As well, a retail facility selling anything and events of any kind along this road will bring the general public onto the mountain, a dangerous and foolish situation. There are no retail facilities of any kind on this road, no events, no tasting rooms. Segregating these functions is not realistic. There are at least 17 vineyard farms waiting on this decision. What you decide will either keep the nature of this area intact, or change it irreversibly.

M-3

Our vote on Mountain Meadow Lane is NO TASTING ROOM, NO RETAIL SALES, AND NO EVENTS. We applaud the Beldens on their farming desires, joining the other vineyards and farms on the mountain. Opening Tasting, Retail, and Events in this location is simply not appropriate in any way but for the income of the Beldens and larger interests who will inevitably invest in our buyout this enterprise and those who will imitate it. This is what happened in Napa County to the detriment of the local population as well as the environment. This model is antithetical to all we have tried to preserve in Sonoma County.

M-4

If the Supervisors and County Planning were to decide to allow the any or all of the Tasting Room, Retail Sales, and Events to be permitted, Vehicular accidents and deaths are

M-5

inevitable. Alcohol and partying on an unfamiliar and dangerous road is a no brainer to those of us who have chosen to make our lives here and learned to drive the road. The local community has gathered around this issue for two years, and will not stand by idly if this entire project is permitted.

M-5
Cont.

Our question is this: How will the County, already strapped with a road system it can't afford to maintain, find the funds to bring Sonoma Mountain Road to the appropriately safe roadway condition for the quality of traffic this project proposes to attract? The entire length of Sonoma Mountain Road will be affected, and will inevitably be required to be widened with appropriate shoulders, well marked, and increased in build quality to be maintainable in the long run. The existing road will be for the most part replaced by a far more well designed and expensive one... a literal impossibility in todays budget reality.

M-6

Changing the nature of this area will result in changed services, upgrades costing many times what the existing services provide. While the permits for added usage are being sought for economic reasons, the Project and Owners are not strapped with the cost of the situation they cause. The public bears it. The entire purpose of the Planning Commission and Supervisorial Oversight is to avoid public expenditure for bad decision making, to prevent the burden to the public of reduced safety and quality of life caused by inappropriate development.

M-7

The first accident will bring the community together with a vengeance, the first death will make this situation a statewide media example. Accidents and Death are not fixable. The county will either have to close down the added permit functions, or improve services for safety. As the many other local vineyards are inevitably going to join the Belden bandwagon, the latter will inevitably be the result.

M-7

Expecting any other outcome to Alcohol, Public Retail Sales, and Events on this road is simply denial of the obvious. What possibly is to gain here without imposing grievous pain publicly and personally other than profiting the Owners?

M-8

So, again, where is the money going to come from? Who is going to apologize to the families injured? How will safety be maintained and improved?

M-8

Thank you for your consideration,
For Mountain Meadow Lane Residents,

Dan Viele

145 Mountain Meadow Lane
Santa Rosa, Ca. 95404
707-545-2764 Home/Office
707-888-5101 iPhone

Letter M

Dan Viele
July 30, 2016

- M-1** The commenter notes support for the project alternatives, No Tasting Room and the Off-Site Tasting Room and believes these are better alternatives than the proposed project. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the commenter's support of these alternatives is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- M-2** The comment notes the condition of Sonoma Mountain Road and expresses concern regarding the safety of this roadway. The reader is referred to Master Response TRAFF-1, which addresses safety concerns on Sonoma Mountain Road.
- M-3** The commenter is expressing his opinion that permitting a tasting room plus a retail concession in this area of the County is dangerous. He goes on to note that there are 17 other local vineyards in the County waiting to hear if the County approves this project. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the commenter's concern and opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- M-4** The commenter is expressing his opinion that he does not support a tasting room, retail sales or events in this location and that it would be detrimental to Sonoma County. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- M-5** The commenter notes that he believes vehicular accidents would result if the project, as currently proposed, is approved. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the commenter's concern is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- M-6** The comment is requesting to know how the County will pay for improving Sonoma Mountain Road to make this road meet current road standards for safety. The County will continue to make emergency repairs to Sonoma Mountain Road, but currently this road is not included within the County's 2-year improvement plan.

- M-7** The commenter reiterates his concern that allowing the project to include a tasting room, retail sales and events would not be responsible given the existing safety concerns on Sonoma Mountain Road. The commenter goes on to note that if the County upgrades the road it would be to serve a small group of people, including the project applicants and the public would bear the cost of these improvements. Please see Response to Comment M-6 regarding improvements to this roadway and Master Response TRAFF-1 for more information on safety. The commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- M-8** The commenter again questions who would pay for improvements to Sonoma Mountain Road and how safety of this road would be maintained. Please see Response to Comment M-6 regarding improvements to Sonoma Mountain Road.

Comment Letter N

July 31, 2016

To: Melinda Grosch, Planner III, Planning Project Review Division, PRMD
cc: The Honorable Susan Gorin, Supervisor, District One
Ms. Rose Zoia, Attorney-at-Law
From: Kirsten and Edwin Cutler, 5650 Sonoma Mountain Road, Santa Rosa, CA
Re: Draft Environmental Impact Report for PLP12-0016

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Belden Barns project and find that it has significant deficiencies, lacks important specificity, and has factual errors. We make the following comments:

1. ROAD CONDITIONS AND TRAFFIC IMPACTS

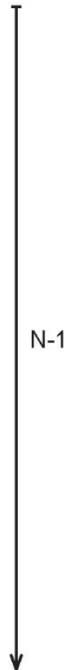
We are concerned with placing this project on a "failed road" that is challenging to navigate, in a state of continual disrepair, has no shoulders, has sections only 10' wide, and is popular with bicyclists and pedestrians.

1.1. Inadequate Assessment of History and Risk of Road Collapse: The road has continuous problems including a stretch of road that remained collapsed and impassable for several years, unavailable for through traffic, cave-ins, two currently marked off by metal posts, one of those unfixd for about a year and a half, the other now with signs stating "One Lane" forcing traffic into the opposing traffic lane. We depend on the road yet the traffic associated with this project will put extra stress on it. The road is the lifeline for emergency vehicles.

The EIR needs to but does not evaluate the full impacts to safety and mitigate these findings and concerns. The EIR should evaluate effect on safety of widening and repairing road to allow for safe concurrent use by pedestrians, bicyclists, emergency vehicles and the increased traffic due to Belden Barns (estimated at an addition 6% plus commercial vehicles).

To cover such mitigation, the project's approval should be conditioned by requiring the applicant provide financial resources for a share of these needed improvements.

1.2 Insufficient Consideration of Impact on Road Safety: The DEIR documents (3.9.4) that the road has below standard road widths, blind curves and 39 areas with sight distance problems which can seriously endanger the safety of all using the road. Area residents walk and drive the road with extreme caution because of our frequent experiences of close calls. Even the slightest impairment of reflexes or judgement is a



serious danger. Two of our neighbors have died in traffic accidents on the road; one about a mile away and one within a couple hundred feet of our home at 5650 Sonoma Mountain Road. Encouraging wine tasting and driving will make it even more dangerous and difficult to navigate safely.

The EIR needs to, but does not in the draft, evaluate the full impacts to safety and mitigate these findings and concerns.

As stated in 1.1 above, the applicant should be required to provide a portion of the financial resources needed to provide for mitigation on the road.

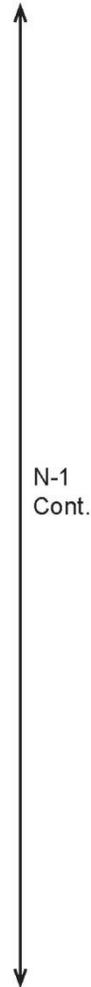
1.3 Lack of Consideration of Bicycles and Pedestrians: The DEIR sidesteps potential impacts on bicycle and pedestrian use and safety. DEIR avoids analysis of this critical concern by stating there are no bicycle and pedestrian facilities to be impacted. The fact that there are currently no such facilities cannot be taken as license to ignore the impacts of the project on those who use the road. The road is already dangerous and additional traffic will undoubtedly increase dangers to bicyclists and pedestrians especially in light of the lack of facilities.

The EIR needs to evaluate the impacts (e.g. safety to all using the road) of increased traffic under existing road conditions and the very real potential of inebriated/alcohol impaired drivers.

1.4 Unsupported Conclusions Regarding Direction of Traffic: DEIR traffic data demonstrates the majority of vehicles approach from the East, the most dangerous section of road. DEIR then assumes 75% of traffic will come from the West, and states that the owner will discourage visitors from traveling from the East. This clearly acknowledges the problem of traffic from the East, yet proposes a mitigation that cannot be enforced. GPS, maps, the greater concentration of nearby wine tasting in that direction and curiosity will continue to bring traffic from the east.

The EIR needs to correct its assessments to accurately reflect the existing data and projections and acknowledge that road conditions east of the project are significant and cannot reasonably be mitigated.

1.5 Insufficient Information Regarding Size and Frequency of Trucks: The DEIR does not provide full data regarding the truck sizes, volume and frequency of truck traffic required to support the project's operations.



The EIR needs to determine and present this information and assess its impact on overall traffic volumes and impact on the road condition and on those using the road.

1.6 No-analysis of Potential Off-set of Traffic with Off-site Tasting: The DEIR acknowledges that off-site tasting would eliminate up to 48 vehicle visits per day and that this would reduce safety problems and road deterioration. The DEIR then states that this would however result in an increase in truck traffic to get produce to the off-site location, but does not quantify the anticipated different.

The EIR needs to provide an analysis of the differences in resulting traffic to substantiate the quantifiable changes rather than just offering up a dismissive statement that there would result some unquantified change in traffic (implying an equivalence in the offset).

2. SCENIC AND VISUAL IMPACTS

2.1 Removal of Vegetation as Mitigation for Road Safety is not Considered in Projecting Noise and Visual Impact: The DEIR states the project will not reconfigure existing roadway, yet requires the mitigation of the removal of selected “vegetation and trees” 400 feet to the east of the Belden Barns entrance to “improve sight lines” entering and exiting Belden Barns. This means removing trees and vegetation on our side of the road at the southern boundary of our property. These trees and vegetation serve to screen our residence and outdoor activity area from both visual and noise impacts from the roadway and the Belden Barns property. Yet the DEIR makes no assessment of how this will affect the visual and noise mitigation of this screening for our property.

The EIR needs to assess the effect this mitigation for sight lines will have on the screening of our residence and outdoor activity areas from visual and noise impacts from the road and Belden Barns.

The EIR needs to determine whether the mitigation for site-lines will create the need for another mitigation of environmental impacts. There is no analysis, photos or assessment of how this would affect the 5650 Sonoma Mountain Road residence. The EIR needs to address these concerns and deficiencies with facts, data and objective analysis.

Rather the DEIR states:

3.2-18 The project proposes trimming or removal of vegetation in the right-of-way on Sonoma Mountain Road to provide sight distance for vehicles using and approaching the project driveway, consistent with the recommendations of the



traffic analysis. Based on review by County Department of Transportation and Public Works and Permit Resource and Management Department staff, the required trimming or removal **is expected to be limited** to select trees and low growing vegetation along the roadway. Remaining vegetation behind the vegetation to be removed would continue to screen project elements, and the vegetation trimming or removal would not substantially alter views **along** Sonoma Mountain Road.

N-4
Cont.

The DEIR is presenting a purely subjective assessment with no visuals or data of any kind to substantiate it. No evidence is provided to substantiate the opinion that this will not affect noise and/or the views onto or from the residence or outdoor activity areas at 5650 Sonoma Mountain Road where trimming and removal is proposed.

This proposed mitigation is in contradiction to the DEIR observation that:

3.2-7,8 The zoning designation of the site is LIA (Land Intensive Agriculture) with an SR (Scenic Resources) combining district and RC (Riparian Corridor) combining district.

3.2-9 Policy OSRC-2d Unless there are existing design guidelines that have been adopted for the affected area, require that new structures within Scenic Landscape Units meet the following criteria: Site and design structures to take maximum advantage of existing topography and vegetation in order to substantially screen them from view from public roads. Minimize cuts and fills on hills and ridges.

Minimize the removal of trees and other mature vegetation. Avoid removal of specimen trees, tree groupings, and windbreaks.

N-5

2.2 DEIR Misrepresents the Screening on the Eastern Approach: The DEIR states that "the northern boundary of the project site abuts Sonoma Mountain Road, a County-designated scenic corridor (County of Sonoma 2008) and a Bennett Valley Area Plan-designated visual corridor (County of Sonoma 2011). ***However, due to the presence of dense vegetation along the south side of the road, the site is well screened from view of passing motorists.*** The project site and surrounding area located south of Sonoma Mountain Road is located in the Sonoma Mountain Scenic Landscape Unit (County of Sonoma 2008)."

N-6

The EIR needs to correct this misrepresentation. This statement is accurate only for the south side of the road west of the Belden Barns entrance but it is NOT TRUE for the section of road east of the entrance to Belden Barns which is intermittently screened with some wide-open views. A visit to the site or photos will show this.

3. LOCATION AND USES OF PROPOSED NEW STRUCTURES

3.1 "Agricultural Employee Housing" Not in Existing Footprint as Stated in DEIR: The DEIR inaccurately states: 3.1-3 "The proposed structures would be constructed in the portion of the site currently occupied by the existing farm complex buildings, except a small milking barn located in the southern portion of the site near proposed grazing operations." This is **NOT ACCURATE**; the new Proposed Farmworker Dwelling is to be constructed on a site that is **NOT** "currently occupied by the existing farm complex buildings".

NO building exists in the site where it is being relocated, 200' closer to the road and neighbor's residence than its current location "footprint". The DEIR Executive Summary states "Construction of the proposed project would occur within the existing development footprint" which is not true and creates the false impression that the project is not expanding the building footprint when the plans clearly show that it is. This misrepresents the nature of the project.

The project designates a large open area north of the existing farm complex buildings as "Development Footprint" (see Figure 3.4-2 - a map with overlays). But in Figure 3.4-1 (an aerial photograph) and other views in the DEIR the area is clearly shown to be undeveloped and housing no existing farm complex or any other buildings. Figure 3.4-1 designates this undeveloped area "AGS Annual Grassland" and excludes it from the area designated "DEV Developed". If it is desirable to mitigate project impacts to neighbors including acoustic/noise impacts, how does this further this goal? From the perspective of acoustic attenuation relocating a multiple-unit farm worker housing building from 530 feet from our shared property line to 320 feet, makes no sense and will certainly increase noise levels.

The EIR needs to accurately and consistently represent the facts of the proposed project and the new proposed agricultural employee dwelling should be built "in the portion of the site currently occupied by the existing farm complex buildings" as stated in the EIR and as planned in the original project proposal, NOT in an area where there is currently no development.

3.2 Conflicting Information Regarding Potential Increase in Residents: The DEIR states (3.1.2.6) population residing on site would not increase and claims the current population residing on site is two (a family of three is known to reside on the site) yet new agricultural Employee Housing is being built for seven. There is no data to support this



claim that there will be no increase in population and no delineation of who/how many will actually be residing on site.

The EIR needs to determine and clarify how many people will actually reside on site and whether this will increase population. If it is determined there will be an increase in population, whether this would result in a significant impact needs to be evaluated and/or mitigated.

3.3 Need for Conditions to Ensure Use of the “Agricultural Employee Housing”: While the DEIR states (2.5) that the additional residences (variously named in the DEIR) are intended as Agricultural Employee housing there is nothing in the Project proposal or the DEIR which specifies precisely who can and cannot utilize this housing.

The EIR needs to clarify who can occupy these residential units. If the project is to proceed, restrictions must be placed on this housing to ensure that it is only available for farmworker/agricultural employee use to support the agricultural intent of the district, and cannot be used for other residents or as guest accommodations for paying or non-paying guests.

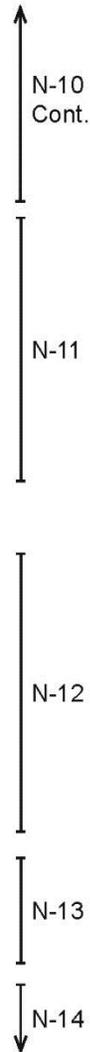
4. IMPACT ON OPEN SPACE PRESERVE

4.1 Insufficient Assessment of Impact on Wildlife in Open Space Preserve: The DEIR does not fully assess the potential impacts on North Slope Sonoma Mountain Regional Park and Open Space Preserve. It does not monitor or analyze Noise or Lighting impacts on wildlife in the Open Space Preserve bordering the Belden Barns project’s eastern boundary from machinery, ongoing operations, outdoor lighting or events located only 10’ from the Open Space boundary. The County has invested \$20 millions of taxpayer money for this Open Space Preserve with a main purpose of protecting the wildlife corridor and migration pathway which runs through land adjacent to the Belden project.

Any additional daytime noise and especially nighttime noise, light or glare would have a serious impact on the corridor and wildlife which depend on it.

4.2 Impact on Views from Open Space Preserve: The DEIR also does not assess the visual impacts of new structures on views from the east. While the DEIR includes views from the current trail and public use areas it contains no such modeling from the open meadow or residential driveway and property lines to the east.

The EIR needs to monitor, assess and analyze the potential Noise, Lighting, glare and Visual/Aesthetic impacts on the Preserve, the wildlife corridor and on wildlife in the



Preserve. In addition to its assessment of Visual/Aesthetic impacts from the Park trails it needs to make Noise and Light impact assessments from these locations near the project.

This analysis is essential for the Board of Supervisors to be able to fulfill its obligation for stewardship of the Preserve and its wildlife corridor. This stewardship extends not only to endangered or threatened species (given emphasis in the DEIR's Biological study) but to all the wildlife the Open Space Preserve was created to support and protect.

↑
N-14
Cont.

5. NOISE IMPACTS

5.1 Incomplete Noise Estimates: In assessing Event Noise (3.8-20) the DEIR estimates noise at our property line (Table 3.8-9 On-Site Event Noise Assuming Max. 200 people - Nearest Residences (R5) Property Line (North/Northeast) 600 42.8 41.9 45 No) at the highest possible non-significant 45 decibel limit yet this does not factor-in road traffic, parking and other noise sources. It states: "these noise levels, although they may be audible at nearby residences in light of the relatively low ambient noise levels, are unlikely to be of a level typically considered intrusive or disturbing. <and concludes> The noise from on-site events would be less than significant." This statement presents clear recognition that in our un-typically quiet, low ambient noise level neighborhood the noise could be intrusive and disturbing, but the DEIR then dismisses this as not being significant.

The EIR needs to explicitly acknowledge what it implies; that "in light of the relatively low ambient noise levels" in the neighborhood the noise from on-site events could be experienced at nearby residences as intrusive or disturbing and is therefore significant in this setting.

The EIR needs to provide evidence to support its assumption that voices at events would never be sustained for more than 30 minutes.

The EIR needs to factor in that while guests are limited to 200 people there will be a significant number of support staff on-site during events and evaluate the combined impact of all noise production sources during events including road traffic, parking, site operations and outdoor machinery.

The significant "amphitheater effects' associated with the project's hillside setting" (Noise Tech Report Note 7) as well as the low ambient noise levels should be taken into account in this assessment of noise significance.

↑
N-15
↓

5.2 Mechanical Equipment not Considered in Conjunction with Other Noise: The DEIR analysis recognizes and factors in the “amphitheater effect” only for the outdoor 87 db “large commercial chiller unit (Noise Tech Report Note 7) “in order to account for so-called “amphitheater effects” associated with the project’s hillside setting” and then ignores it everywhere else in the noise study.

The EIR should take this factor into account for all noise produced on the site. The noise is 24/7 so the EIR needs to factor it into the noise assessment including events. The EIR needs to address concerns including: evaluate and clarify how the amphitheater mountain backdrop projecting sound to neighbors is factored by assuming the ground is perfectly reflective (e.g. projecting sound up rather than outwards as the mountain does).

The EIR should evaluate if enclosing this in a soundproof structure would be effective to better mitigate sound in this low ambient noise neighborhood.

The mechanical equipment noise assessment focuses on the “commercial chiller unit” and does not include all equipment. It suggests a 5 foot tall barrier wall will block line-of-sight noise without documentation details to substantiate this.

The EIR needs to present the documentation and analysis to assess the noise associated with all mechanical equipment and the effects of any mitigations such as the 5 foot tall barrier.

N-15
Cont.

6. HYDROLOGY/WASTE WATER

6.1 Incomplete Hydrology Study: In preparing the DEIR Hydrology study Dudeck chose not to test the active well at 5650 Sonoma Mtn. Rd. and instead tested a nearby well which has been abandoned for 36 years and extrapolated numbers to estimate impacts on our active well. We gave permission to test our active well and appealed the decision not to test it to PRMD. Ours is the closest well to the Belden’s and we should be able to rely on hard data rather than the estimates and surmises the DEIR makes about our well.

The EIR should contain factual data obtained by actual monitoring of this closest well to more realistically assess what effect the Belden Barns pumping (and especially an adequate stress test) will have on it.

N-16

DEIR Well testing included a 24 hour test pumping at 23 gpm to determine the effect of the Belden’s well, capable of producing 500 gpm, had any on the neighborhood wells. While the tests showed minimal effects the DEIR states: “the 24-hour pump test, as equipped could not achieve a high enough pumping rate to determine the transmissivity or storage coefficient of the aquifer (i.e. stress test)” and again resorts to projections and surmises rather than hard data.

The DEIR acknowledges the 2003 Kleinfelder study which found declining groundwater levels in the Bennett Valley area with groundwater well pumping the primary factor. Our neighbor at 5300 Sonoma Mountain Road attempted to irrigate his orchard running his pump at 50 gpm for 24 hours and depleted his water supply. Others in the neighborhood have had their well go dry several summers, requiring them to truck in water. The applicant intends to maintain water use with the 23 gpm pump, but there is no guarantee of this and we certainly don’t know what the effects of a larger pump on surrounding areas would be.

The DEIR analysis concludes that there would be no significant drawdown in the groundwater basin or subbasin and thus no mitigation is necessary. However the combination of unrealistic use figures, estimates instead of actual water analysis data and the site’s complex natural environment make the DEIR’s hydrology review less than scientific or reliable.

The EIR calculation of use figures needs to be based on real data and more clearly explained and, particularly, the area of creamery operation and wastewater generation and disposal needs to be analyzed and explained in detail.

6.2 Incomplete Wastewater Analysis:

The DEIR does not provide sufficient data and analysis (largely because the information necessary for such an analysis is missing from the project proposal) to adequately describe the environmental impacts of the project and whether the recommended mitigation measures should be modified and/or adopted. This reinforces our serious concerns with potential contamination of hydrological resources associated with the proposed project.

For the final EIR, specific details of the Project’s wastewater content, composition and wash-down location need to be provided and analyzed. Specifics of the Treatment process sufficient to evaluate its effectiveness also need to be provided and analyzed.

Data to explain the Disposal process is also missing and system and site-specific details sufficient for thorough analysis needs to be provided and analyzed.



As presented in the DEIR the Belden Barns wastewater "system" poses a serious hazard to the health, safety and welfare of all on-site inhabitants and neighbors and threatens neighboring wells and wildlife in the North Slope Sonoma Mountain Regional Park and Open Space Preserve.

N-19

Potential impacts on the neighboring Open Space Preserve, its wildlife and the drainage feeding Matanzas Creek also needs to be assessed. The EIR needs to present information on the wastewater quality, treatment and disposal to insure the safe functioning of the wastewater system and to protect neighbors, neighboring wells and the surrounding environment from contamination. Any approved wastewater system must include a program of careful monitoring of the system's effectiveness, the condition of the sites groundwater and drainage and any possible effect on surrounding wells. This monitoring needs to be proactive and not dependent on the applicant's compliance to insure the integrity of the groundwater and neighboring wells and the health, safety and welfare of all who live in the area.

N-20

There is already competition among Sonoma County creameries for sites to dispose of their wastewater as they are unable to process it safely on-site.
The EIR should assess the availability of alternatives for this project.

N-21

7. TYPE OF OPERATION

The DEIR characterizes the Project as a small scale family operation. DEIR states several times that multiple farmers and product producers will be operating on site to establish demand for their products. Given the level of processing proposed, it does not appear to be a small-scale operation.

N-22

The EIR needs to clearly establish the intent of this land use and specify on-site operators to show it is consistent with regulation for use of the property and in keeping with the defined nature and scale of the Project.

N-22

8. IMPACT OF CREAMERY ONSITE

In assessing the proposed Creamery and operations the DEIR states "approximately 30%-35% of the milk for the creamery would come from on-site livestock and the remaining 65%-70% would come from other dairies in the surrounding area. Milk deliveries to the site would be made biweekly by truck. Farmstead products would be sold on site and shipped from the site to wholesalers or retailers weekly by truck." There are currently no dairy goats or cows on the Belden property.

N-23

The EIR needs to evaluate the reasonable alternative of establishing the Creamery off-site, possibly in conjunction with an off-site wine-tasting room. A more sustainable alternative would be to operate the creamery in an industrial area reducing by half the amount of milk product that would need to be transported on the road. This would also eliminate the noise from the outdoor Creamery machinery running 24/7 and eliminate the potential for serious water and waste problems.

N-24

9. DEIR DOES NOT ADEQUATELY CONSIDER BENEFITS OF THE TASTING ROOM OFF-SITE OPTION

The DEIR Analysis of Alternatives (ES.4) includes on site tasting as an Objective that effectively eliminates the serious consideration of solutions that would involve off-site tasting. Customers can certainly experience the farm operations and experiences on-site and experience any combination of winemaking, wine tasting, cheese making and direct to customer sales off-site.

N-25

Whereas the analysis of the off-site tasting room alternative couples this with off-site produce tasting and concludes that this undermines the farmstead experience these do not have to be linked in this way. Wine tasting can be off-site without compromising the farmstead experience or direct-to-consumer wine sales. There are creative ways this could be accomplished and to rule them out without serious consideration because they don't meet the "Project Objective" of "on-site tasting and direct to consumer sales" is disingenuous and logically absurd. This is misstating the desired method (on-site) of achieving the objective (tasting and direct to consumer sales) as the objective itself.

N-26

Seriously considering a range of off-site alternatives would help to resolve the significant problems this project imposes on Sonoma Mountain Road and the surrounding neighborhood. The DEIR acknowledges the off-site tasting room as an environmentally superior alternative that would eliminate up to 48 daily vehicle trips on the road yet denies this would improve safety on the road.

The EIR needs to define the Project Objectives in a way that distinguishes them from the variety of means by which they could be accomplished. Then the DEIR needs to undertake an analysis of the variety of ways the true Project Objectives can be met giving serious consideration to off-site alternatives.

N-27

The EIR needs to accurately assess the positive effects of off-site tasting on road usage, noise, and safety.

10. EARTHQUAKE RISK

The DEIR makes no detailed analysis of the Rogers Creek Fault which is the most significant and hazardous fault in our area and instead focuses on a less significant fault.
The EIR needs to assess the risks associated with the Rogers Creek Fault.

┌ N-28

Letter N

Kirsten and Edwin Cutler

July 31, 2016

- N-1** The comment raises numerous concerns regarding the road safety of Sonoma Mountain Road, safety of pedestrians and bicyclists that use this road, the volume and frequency of truck traffic, general traffic patterns, and analysis of the Off-Site Tasting Room Alternative. All of these concerns are addressed in Master Response TRAFF-1.
- N-2** The comment asserts that the Draft EIR did not consider the impact vegetation removal would have on visual and noise impacts. Please refer to Response for Comment L-3 which raised similar concerns regarding vegetation removal and subsequent impacts to visual resources and noise.
- N-3** The comment reiterates concerns that the Draft EIR needs to determine whether the mitigation for site lines will create the need for additional mitigation related to visual and noise impacts with facts, data and an objective analysis. Please refer to Response to Comment L-3, which raised similar concerns regarding vegetation removal and subsequent impacts to visual resources and noise.
- N-4** The comment claims that no evidence or data is provided to substantiate the claims made in Section 3.2, Aesthetics, of the Draft EIR that vegetation removal would not substantially alter views along Sonoma Mountain Road. The comment also goes on to state there is no evidence to support the opinion that removing vegetation would not affect noise or views into or from the project site.

The reader is referred to Responses to Comments C-18, I-1, and L-3 for information that addresses vegetation removal and views. The noise analysis, presented in Section 3.8, Noise, does not factor in the vegetation slated for removal at the project entrance as a “sound buffer.” Therefore, the removal of this vegetation would not affect the noise analysis prepared for the project.

- N-5** The comment claims the vegetation removal is in conflict with General Plan policy OCRC-2d, which requires new structures within a designated Scenic Landscape Unit to meet specific criteria, which includes minimizing cuts and fills on hills and ridges, and minimizing removal of trees and other mature vegetation.

Viewpoint 1 – Sonoma Mountain Road (Figure 3.2-2) provides a view of the project site from Sonoma Mountain Road, both before and after vegetation is removed. As

shown in the Figure and discussed on page 3.2-18, conditions of project approval require that the buildings be screened from view and adjoining properties, per the Bennett Valley Design guidelines. To meet these guidelines, the project would plant additional trees and shrubs along Sonoma Mountain Road and the project's driveway. The new landscaping would be planted in areas that help screen the buildings from the road, but would be set back from the roadway edge to avoid impairing driver sight distance. In addition, the proposed landscaping plans would be reviewed and approved by the County's Design Review Committee. Page 3.2-18 of the Draft EIR discusses the trimming and removal of vegetation in the right-of-way along Sonoma Mountain Road to ensure there is adequate sight distance for vehicles approaching the project driveway. The required trimming or removal is expected to be limited to select trees and low growing vegetation along the roadway. Remaining vegetation behind the vegetation to be removed would continue to screen project elements, and the vegetation trimming or removal would not substantially alter views along Sonoma Mountain Road. No mature trees are proposed for removal, consistent with the County's policy. The proposed vegetation trimming would not conflict with the County's policy.

N-6 The comment asserts that the Draft EIR claims that the site is well screened from view along the south side of the road and should be corrected because this statement is only accurate for the south side of the road; not for the section of the road east of the project entrance.

On page 3.2-7, the Draft EIR states that the northern boundary of the site abuts Sonoma Mountain Road, which is both a County-designated scenic corridor and a Bennett Valley Area Plan-designated visual corridor. The Draft EIR goes on to state that the site is well screened along the south side of the road from passing motorists. As shown in Figure 2-3, existing structures on the project site are located in the northeast corner of the property. As noted on page 3.2-3 of the Draft EIR, oak and eucalyptus trees along Sonoma Mountain Road and cypress trees along the project driveway allow for only partial views of the property from Sonoma Mountain Road. The Draft EIR states that while limited portions of the project site are visible from the intersection of Sonoma Mountain Road and the project driveway due to gaps in the otherwise dense perimeter vegetation, existing on-site structures are not readily visible to passing motorists on Sonoma Mountain Road. The visual simulation presented in Figure 3.2-2 and the text presented on page 3.2-17 through 3.2-18 acknowledge that despite the presence of large, mature trees the northern elevation of the new agricultural building would be briefly visible to passers-by through a narrow vegetation gap near the project site. In accordance with the provisions of the Bennett Valley Design guidelines, in order to screen these buildings from the road,

- the project would plant additional trees and shrubs on the project parcel along Sonoma Mountain Road and the project driveway. Landscaping plans would require approval by the Design Review Committee. The Draft EIR concluded that the project would result in less-than-significant visual impacts.
- N-7** The comment alleges that although the Draft EIR states that the agricultural employee housing would be constructed within the existing development footprint, there are no existing buildings in this portion of the site and it misrepresents the proposed development footprint. As stated on page 2-5 in Chapter 2, Project Description, a new approximately 1,877 sf agricultural employee housing unit would be constructed to replace an existing legal nonconforming 1,780 sf building currently being used for agricultural employee housing, which would be demolished. There is currently an existing building that would be demolished to accommodate construction of the new employee housing. Section 3.1, Summary of the Initial Study, states that the project would add an additional 0.86 acre of developed area to the existing farm complex, including an additional 9,296 square feet (sf) of building space and associated driveways. The less than an acre increase in the existing development footprint is identified and disclosed in the Draft EIR.
- N-8** The comment claims that the area north of the existing farm complex is labeled as Development Footprint in Figure 3.4-2, but is marked as annual grassland in Figure 3.4-1. Please note that Figure 3.4-1 shows existing land cover types, while Figure 3.4-2 shows proposed development areas. The comment goes on to note that placing farm worker housing closer to shared property lines will increase noise levels. Please refer to Master Response NOI-1 for information regarding noise concerns associated with project operation.
- N-9** This comment asserts that the Draft EIR needs to accurately and consistently represent facts of the proposed project and that the agricultural employee housing should be built within the existing development footprint and not in an area where there is currently no development. Please refer to the Response to Comment N-7 regarding the placement of the agricultural employee housing.
- N-10** This comment expresses an opinion that the Draft EIR is not clear regarding if the population on site would increase given that the new agricultural employee housing is being built for seven people.

On page 2-5, the Draft EIR states that the agricultural employee housing would be a new approximately 1,877 square foot building to replace an existing legal nonconforming 1,780 square foot building currently being used for agricultural

employee housing. The new building would be only 97 square feet larger than the existing building and would provide permanent housing for up to six people, consistent with the County's Zoning Ordinance, Article 04. LIA Land Intensive Agriculture District, which allows one dwelling unit for full-time agricultural employees with on-site agricultural uses including at least twenty acres of grapes, apples, pears, or prunes, etc. On page 2-6, the Draft EIR states that there would be five full-time and four-part time employees for most of the year. Additionally, seven full-time employees would be on site during the grape harvest season and bottling from late August through mid-October. No permanent housing would be provided for the seasonal employees during harvest season. However, the County allows temporary housing for seasonal workers be approved with a zoning permit.

- N-11** This comment claims the additional residences are variously named in the Draft EIR and there is nothing in the proposal to clarify who can occupy the residential units. The commenter would like assurance that the housing is only available for farmworkers and agricultural employees and won't be used for other residents or as guest accommodations for paying and non-paying guests.

There are only two types of residences discussed in the Project Description that would be located on the project site. One is the existing owner's residence, which would not be altered under the project and is therefore not evaluated in the Draft EIR. The second is the proposed agricultural employee housing, which would be a new approximately 1,877 square foot building. The agricultural employee housing is consistent with the County's Zoning Ordinance, Article 04. LIA Land Intensive Agriculture District, which allows one dwelling unit for full-time agricultural employees with on-site agricultural uses including at least twenty acres of grapes, apples, pears, or prunes. This residence would only be used by on-site agricultural employees and would not be used as guest accommodations for paying and non-paying guests. No off-site vendors will be on-site selling products. Only agricultural employees would be permitted to sell products in the farmstead or tasting room.

- N-12** The comment asserts that the Draft EIR does not adequately assess the project's potential impact, such as noise or lighting, on wildlife in the North Slope Sonoma Mountain Regional Park and Open Space Preserve. Please see Responses to Comments I-4, Q-17 and R-6.

- N-13** The comment alleges that the Draft EIR does not assess the visual impact of the new structures on the views from the open meadow or residential driveway and property lines to the east.

The methods used in the Draft EIR to analyze visual change associated with project are in compliance with the County's Visual Assessment Guidelines (County of Sonoma n.d.), as stated on page 3.2-1 of the Draft EIR. Viewpoints from which to assess the potential aesthetic impacts of the proposed project were identified by County staff and photo-simulations were prepared for each of the identified viewpoints to illustrate the visual change anticipated to occur as a result of project development. The Draft EIR evaluated public views of the project site from two scenic vistas in the adjacent North Sonoma Mountain Regional Park and Open Space Preserve: the Bennett Valley Overlook and the Umbrella Tree Trail Overlook. In addition, five other public viewpoints were evaluated. Based on the visual simulations prepared for the project views of the project site from public vantage points would not exceed the County's thresholds and impacts were determined to be less than significant.

- N-14** The comment expresses an opinion that the Draft EIR should analyze potential light and noise impacts on all potential wildlife in the Open Space Preserve and not just focus on special status species. Please refer to Response to Comment N-12 above regarding the project's evaluation of the potential impacts to wildlife and wildlife corridors.
- N-15** The comment raises numerous concerns regarding the noise analysis prepared for the project. Specific concerns include if the noise analysis factored in support staff that will be needed during large events, noise due to the amphitheater effect of the hillside topography, and noise from mechanical equipment. All of these concerns are addressed in Master Response NOI-1.
- N-16** The comment is referring to the Groundwater Resources report prepared for the project site and is questioning the methodology used and the lack of factual data. Specifically, the commenter questions why the well at 5650 Sonoma Mountain Road was not included in the well monitoring network set up to gauge whether the 24-hour pump test of the Belden Well would result in off-site water level effects. Instead a nearby abandoned well was tested. The preparers of the Groundwater Report, Dudek, contacted the Cutler's to inquire about using their well and it was determined that the access port on their active well was too narrow to accommodate a pressure transducer (which continuously logs water levels). This may have been misinterpreted to mean their active well was "excluded" from the study; it was not. Dudek took water levels from both the Cutler wells; manual measurements from their active well, and transducer measurements from the abandoned well before, during, and after the 24-hour pump test. The Cutler's active well is referred to as "Well C-1" in the Draft EIR and attached groundwater report (see Draft EIR Appendix F pp. 33-34). Given the proximity and similar depths/water levels observed over the

- monitoring period, the water levels logs by the transducer can be considered representative of those in the active well, even if there is a 60 foot difference in the depth of the well. Please see also Master Response GWA-1.
- N-17** The comment expresses concern about the contamination of hydrological resources and asserts that not enough details of the proposed wastewater treatment system are provided to analyze potential environmental impacts. The commenter is referred to Master Response WW-1.
- N-18** This comment claims that data to explain the disposal process is missing and system and site-specific details need to be provided and analyzed. Please refer to Master Response WW-1 for information regarding the proposed wastewater treatment system. Additional information regarding groundwater concerns is provided in Master Response GWA-1.
- N-19** The commenter expresses an opinion that the proposed wastewater system poses a serious hazard to the health, safety and welfare of all on-site inhabitants and neighbors. Information regarding the proposed wastewater treatment system is provided in Master Response WW-1.
- N-20** This comment expresses concern for the effects of the wastewater treatment on neighboring wells, wildlife, and drainage feeding Matanzas Creek and claims monitoring should be done to evaluate effectiveness and conditions of the site's groundwater and the surrounding wells. Please refer to Master Response WW-1 for information regarding the proposed wastewater treatment system. Additional information regarding groundwater concerns is provided in Master Response GWA-1.
- N-21** The comment claims that there is already competition among creameries for off-site locations to dispose of wastewater and that the Draft EIR should assess the availability of alternatives for this project.
- Project alternatives were evaluated in Chapter 5 of the Draft EIR. This chapter includes a discussion in Section 5.3 of Alternatives Considered but Rejected including an Alternate Site and Reduced Cheese Production Alternative. These alternatives were considered but rejected because an off-site creamery alternative does not meet the project objectives and reduced cheese production is not necessary to substantially reduce project impacts, which are already less than significant. Please see also Response to Comment N-24 below.
- N-22** The comment claims given that multiple farmers and product producers would be operating onsite and the level of processing proposed this does not appear to be a

small-scale operation. The comment does not address any CEQA impacts, but the following information is provided to the commenter:

As stated in Chapter 2, Project Description, the project includes a 10,941-square-foot (sf), two-story building Production Facility that would provide a new creamery and winery capable of producing 10,000 pounds of cheese and 10,000 cases of wine per year. The project also includes a one story 3,033 sf Tasting Room (or Hospitality Building) building, and approximately 1,877 sf of new agricultural employee housing. New construction would total 15,851 sf and would occupy an additional 0.86 of an acre of land compared to the existing development footprint. No off-site or outside vendors (e.g., farmers) would be allowed to sell their products on site. Only the agricultural employees would be permitted to sell products produced on site in the Hospitality Building along with incidental items from the local area such as local honey, t-shirts, or wine-related gifts.

A farmstead selling a wide range of products grown and processed on-site is not unusual for a rural area. The production numbers for both wine - 10,000 cases/ year - and cheese – 10,000 pounds/year - are relatively small compared to Sonoma County Industry norms. The average number of cases produced per year for a winery in Sonoma County is 121,531 cases, with a maximum size of 4,900,000 cases. The average number of events at wineries in Sonoma County is 20 and the average number of attendees is 326 people. So by comparison this is a relatively small facility.

The 22 acres of grapes planted on the site would produce roughly 80% of the wine processed on-site depending on the yield in any given year. Under LIA zoning, there is no requirement that all grapes processed in the winery to be grown on-site. A winery may import all, only a portion, or none of the grapes used in processing, provided the grapes are from the “local area,” or are a type from the “local area.” The County generally treats the “local area” as Sonoma County. The project complies with LIA zoning, as well as General Plan Policies AR-5c (facilities are sized to accommodate, but not exceed, the needs of the growing or processing operation) and AR-5g (local concentrations of support uses are to be avoided), and is appropriately sized for the vineyard acreage. In brief, storage and bottling are not sized to exceed the growing or processing operation and there is no local concentration of separate agricultural support uses in the area.

Milk would need to be imported as the area available for pasture on-site is not large enough to accommodate the 10 cows, 50 sheep, or 100 goats necessary to produce the amount of milk needed to produce 10,000 pounds of cheese. The applicant

intends to pasture as many animals as practical on-site. Importing all 12,000 gallons of milk required for the cheese would require approximately three 4,000 gallon milk tanker trucks and visitor trips for cheese tasting are assumed to be part of the overall number of trips for wine tasting. General Plan policy Ar-5b allows the Board to consider “allowing the processing of non viticultural agricultural products where the processing is demonstrated to support projected or new agricultural production, provided that the processing use is proportional to the new production on site or in the local area.”

The site plan includes a couple of acres near the winery/farm complex for a small vegetable garden and orchard area. Chickens would also be raised in this general area. Produce and eggs would be made available for sale and used in the winemaker dinners. While this is a more minor aspect of the proposal it is important to the owners/applicants in providing a diverse farmstead and sourcing from the site as much as possible.

N-23 The comment summarizes the proposed creamery operations and states that there are currently no dairy goats or cows on the Belden property. The commenter is correct, there currently is no livestock on the project site. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

N-24 The comment claims that the Draft EIR needs to evaluate the alternative of establishing a creamery offsite.

The Draft EIR evaluates alternatives considered but rejected in Chapter 5, Alternatives, Section 5.3. These alternatives evaluated, but not considered further include the Alternate Site, Reduced Irrigation Alternative and Reduced Cheese Production Alternative. The Draft EIR concluded that an alternate site was not feasible because the applicant owns the project site, the project is compatible with the underlying zoning, and it is not feasible for the applicant to reasonably acquire another site for the project. The Reduced Cheese Production Alternative, which would reduce cheese production from 10,000 pounds to 5,000 pounds, would not avoid or substantially lessen any significant impacts of the project.

N-25 The comment expresses the opinion that the inclusion of an on-site tasting objective effectively eliminates the serious consideration of solutions that would involve off-site tasting. The project alternatives evaluated in Chapter 5, Alternatives, Section 5.4, include a No Tasting Room Alternative, which eliminates an on-site tasting room; and

- Off-Site Tasting Room Alternative, which relocates the tasting room off-site in the city of Rohnert Park or Santa Rosa; and a No Events Alternative, which eliminates all on-site events. Based on the analysis, the No Tasting Room would be the environmentally superior alternative compared to the project.
- N-26** The comment expresses the opinion that wine tasting can be conducted off-site without compromising the farmstead experience or direct-to-consumer wine sales. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- N-27** The comment claims that the Draft EIR needs to seriously consider a range of alternatives and to define project objectives in a way that distinguishes them from the variety of means by which they could be accomplished. This comment also alleges that the Draft EIR does not acknowledge that an off-site tasting room would improve safety on the road.
- On page 5-15, the Draft EIR acknowledges that trip reductions along Sonoma Mountain Road would reduce potential impacts related to safety and pavement deterioration under the Off-Site Tasting Room alternative. Please refer to Responses to Comments E-7 and J-14 regarding the range of alternatives evaluated for the proposed project.
- N-28** The comment claims that the Draft EIR does not include an analysis of the Rogers Creek Fault, which is the most significant and hazardous fault in the area. The commenter is referred to the Draft EIR pages 3.5-3 and 3.5-4 for information concerning the Rodgers Creek Fault and the ground shaking hazard on the project site. It should be noted that though no detailed description of the Rodgers Creek Fault is provided in Section 3.5, its distance to the project site is disclosed, and its ground-shaking potential is incorporated into the probabilistic seismic hazard assessment (PSHA), which “takes into consideration the range of possible earthquake sources and estimates their characteristic magnitudes to generate a probability map for ground shaking (Draft EIR p. 3.5-4, 1st par.).”

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Comment Letter O

From: Bill McNearney [<mailto:wtmcnearney@earthlink.net>]
Sent: July 31, 2016 9:30 PM
To: Melinda Grosch
Cc: Byron LaGoy
Subject: Re: Belden Barns DEIR - PLP12-0016

From: Bill McNearney
5350 Sonoma Mountain Road
Santa Rosa, CA 95404

wtmcnearney@earthlink.net

Melinda.Grosch@sonoma-county.org
2550 Ventura Ave.
Santa Rosa, CA 95403

Project Title: Belden Barns Farmstead and Winery Project (PLP12-0016)
Project Applicant: Nathan Belden
Project Location: 5561 Sonoma Mountain Road, Sonoma County

The authors of this Draft EIR appear to have manipulated the information in such a way as to give the impression that this project will not have negative impacts after some very minor mitigations are carried out.

On page 2-6, a statement appears that is symptomatic of the entire document and ridiculous to the effect that the applicant will ask guests not to arrive from the direction of Glen Ellen. This is an admission of the unsafe conditions disguised as a mitigation by the authors.

O-1

On page 3.9-1 It is stated that Sonoma Mountain Road is a two-lane road. This is not true for major sections of the approach to the property from both directions. This is only one of many examples of factual errors in the draft that mislead the reader into the impression that this type of development will be safe.

O-2

On page 3.9.7 An AASHTO Policy is mis-quoted to support the safe use of this road for a very high traffic volume. The authors note some of the defects in the road conditions and imply that the AASHTO Policy applies to a narrow road in equally poor condition.

O-3

I could fill pages with examples of data and references that have been manipulated to minimize or eliminate the negative impact of this project. More important is the fact that most of the impacts discussed omit discussion of the long term real world impact of this serious revision to the General Plan and the Bennett Valley plan. If this project is approved, what will stop others? This will set a precedent that can't be reversed once this large-scale commercial enterprise is allowed. This proposal is not for a quaint roadside stand to sell produce grown on a small farm. That would be a reasonable interpretation of the General Plan and this report makes it sound like this project is no more harmful when, in fact it begins the process of encouraging more

O-4
O-5

production and sales of products that require a lot of water, generate a lot of Greenhouse gases, and generate much more traffic than can safely be handled by the worst road in Sonoma County.

↑ O-5
| Cont.

By narrowly focusing on this project, the total impact of all the development that is currently under discussion and the others that will feel entitled to this type of development on their property must be of included in an honest evaluation of the negative impacts.

↑
| O-6

Letter O

Bill McNearney

July 31, 2016

O-1 The comment states that on page 2-6 of the Draft EIR, the applicant will ask guests not to arrive from the direction of Glen Ellen via the eastern portion of Sonoma Mountain Road. The commenter does not believe this is realistic and is “disguised as mitigation”, due to the unsafe conditions on Sonoma Mountain Road. Please refer to Response to Comment C-13, which raises similar concerns regarding asking guests to approach from a specific direction and Master Response TRAFF-1.

O-2 The comment claims that the statement Sonoma Mountain Road is a two-lane road is not accurate for major sections of the approach to the property from both directions and is an example of the factual errors in the Draft EIR.

The Draft EIR does state that Sonoma Mountain Road is a two-lane road. However, it also mentions, on page 3.9-1, that in the immediate vicinity of the project the road is narrow- approximately 18-20 feet wide with no center lane or edge striping. Additional information regarding project traffic is provided in Master Response TRAFF-1.

O-3 The comment asserts that the Draft EIR misquotes an AASHTO policy to support the safe use of the road for a very high traffic volume by noting the defects in road condition and implying that the AASHTO policy applies to a narrow road in equally poor condition.

On page 3.9-7, the Draft EIR notes the AASHTO policy on design stating that roadways with lane widths varying from 9-10 feet for similarly classified roads have comparable volumes and design speeds as Sonoma Mountain Road. The Draft EIR states that Sonoma Mountain Road has pavement widths ranging between 11-20 feet. The Draft EIR then states that “[T]hough sufficient warning signs regarding the reduced pavement width and reduced advisory speeds are provided, narrow pavements may cause vehicles to not pass safely considering the topography.” Additional information regarding project related traffic is provided in Master Response TRAFF-1.

O-4 The commenter indicates his opinion that the Draft EIR minimizes or eliminates the negative effects of the project and does not discuss the revisions to the County’s General Plan and the Bennett Valley Area Plan. The project, as proposed, does not require any revisions to the County’s General Plan or the Bennett Valley Area Plan (i.e., a General Plan Amendment), or any changes to the existing zoning. The Draft EIR was

- prepared to evaluate impacts that could occur due to project construction or operation and to include feasible mitigation measures to mitigate any potential impacts. The Draft EIR does not minimize or eliminate potential impacts associated with the project. The commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- O-5** The comment states that the report (Draft EIR) does not evaluate the effects associated with the production and sale of products, such as increase in water demand, greenhouse gases, and traffic. The Draft EIR evaluates in detail impacts associated with project construction and operation including changes in visual resources; increases in air pollutants and greenhouse gas emissions; impacts to biological resources as well as geology, soils and hydrology; noise; and increases in project traffic. Chapter 3, Summary of Initial Study, and Section 3.7, Hydrology and Water Quality, evaluate the project's increase in water demand and notes the project would use groundwater to supply water for the domestic water and landscape/livestock water. The project would also use treated winery/creamery process water to provide additional supplemental water for the existing vineyards. The on-site irrigation pond would continue to serve as a water source for the existing vineyards. It was determined that adequate water supply is available to serve the project. No significant impacts were identified related to greenhouse gas emissions or traffic.
- O-6** The comment states that the cumulative effect of projects has not been addressed, and the project has been too narrowly focused. It is assumed the commenter is referring to the cumulative evaluation included in the Draft EIR. The technical sections evaluated in the Draft EIR (Sections 3-2 through 3.9) include an analysis of the cumulative impacts of the project relative to existing cumulative impacts if any, and if the project's contribution would be considerable and thereby significant (CEQA Guidelines Section 15130). The cumulative context varies depending on the resource (issue area), but generally includes buildout assumed under the County's General Plan, pursuant to CEQA Guidelines Section 15130(B). The cumulative projections do not evaluate a list of past, present, or probable future projects.

Comment Letter P

To: Melinda Grosch, Planner III, Planning Project Review Division, PRMD

From: Wayne Berry, 240 Sonoma Ridge Road, Santa Rosa, CA 95404

Dear Ms. Grosch:

Re: Draft Environmental Impact Report File No. PLP12-0016

Review of the Draft Environmental Impact Report, Belden Barns Farmstead and Winery Project, ("Report") prepared by Dudek, prompts issue in three major areas:

NOISE
TRAFFIC
STATE OF SONOMA MOUNTAIN ROAD

NOISE

Environmental Impact Reports commonly refer to the Federal Aviation Administration standards on acceptable noise levels within residential buildings as a "gold standard" when comparing anticipated noise levels from a proposed project (Page 3.8-9); (Appendix 1). However, the regulated maximum of 45 dBA L_{dn} referred to, is a measure of peak noises averaged over a 24-hour period. Aircraft flying over the Back Bay of Newport Beach from John Wayne Airport in Orange County, for example, have to be at 1000 feet for noise abatement reasons, when flying over the community. A jet engine at 1000 feet generates noise levels of 100 dB on the ground. The regulated in-home day-night noise average of 45 dB therefore represents an average of the peak noise levels over a 24-hour period. (It should also be remembered that this regulation applies to city airports surrounded by residential areas - Belden Barns is not in a city).

P-1

What does 45dB L_{dn} actually sound like? A 2 minute video demonstrates this level of noise and is accessible at: https://youtu.be/ZWQ2T_ROT_k

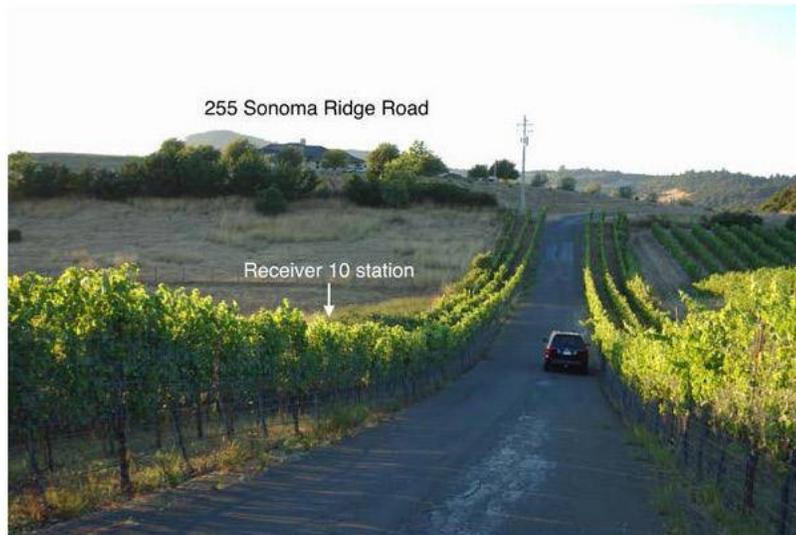
P-2

The Report glosses over the fact that there are regions where the 45 dBA L_{dn} will be exceeded (Table 3.8-7 page 3.8-18) (Appendix 2) particularly at Receiver 3 and 7. Since the unit of sound is logarithmic, a simple difference of 1 to 4 dB cannot be discounted as insignificant.

P-3

It is also interesting to note the placement of the Receivers for traffic noise recording (Refer Figure 3.8-1) (Appendix 3). Receiver 10 was placed at the lowest point on Sonoma Ridge Road, approximately 30 ft below the residence of 255 Sonoma Ridge Road, the residence of which is on a similar elevation to Belden Barns. (See photograph below). The Report also conveniently does not mention the amplifying effect of the mountain.

P-4



Projected noise levels during a Special Event, are also conveniently assessed using a combination the quietest of musical instruments (Sting Quartet) and raised male voices. (Table 3.8-9, page 3.8-21) Appendix 4). Using sound level data for a String Quartet allows the Combined dBA L₅₀ to be just at the regulation 45 dBA L₅₀ at the closest residence (Receiver 5). This means that during any 30 minute play of music, the noise level will not exceed 45 dBA 50 % of the time (which means 50% of a 30 minute play can exceed 45dBA and still be within regulation). How can this Report state that this will not impact the community? It is naïve for anyone to imagine that an amplifier, DJ or band with amplified sound will not be used at some of these events. It is even more naïve to suggest that the conservative estimate of noise levels will not impact the community – this is a 200 guest party, in the country, on a hillside!

Considering these facts and the questionable estimate of traffic volume (see TRAFFIC), it is totally erroneous for this report to conclude that the Belden Barns project will have "no impact on the community".

P-5
P-6
P-7

TRAFFIC

Section 3.9 of the Report “Transportation and Traffic”, under Traffic Safety Analysis (page 3.9-26) states:

“Though the 6% increase in the traffic generated from the proposed project would not significantly impact Sonoma Mountain Road in terms of traffic operations as described above, it could present challenges for the drivers unfamiliar with the poor road conditions east of the project site.” (Appendix 5)

How did the 6 % increase get calculated? Data is hidden in Figures 3.9-3 and 3.9-9a, and not adequately exposed in tables.

Refer to Figure 3.9-3 Existing Conditions Average Daily Traffic (ADT) (Appendix 6) and Figure 3.9-9a Existing plus Project Conditions ADT (Appendix 7), to extract the data in a table format for Sonoma Mountain Road west of project site (SMR-W) and Sonoma Mountain Road east of project (SMR-E), for existing (Exist), Weekday (WD), Weekend (WE) and for Existing plus Projected ADT (Ex+Proj), WD, WE, and Special Event ADT (SpecEvent).

ADT on SMR west of project

SMR-W	Exist	Exist+Proj	Difference	% Increase in ADT
Weekday	351	425	74	$(74 \div 351) \times 100 = 21\%$
Weekend	276	350	74	$(74 \div 276) \times 100 = 27\%$
Special Event	276	396	120	$(120 \div 276) \times 100 = 43\%$

Therefore, taking the data of ADT numbers from Figures 3.9-3 (Existing Conditions ADT) and Figure 3.9-9a (Existing plus Project Conditions ADT), ADT on SMR-W is projected to increase by 21% on Weekdays, 27% on Weekends, and 43% on Special Events, assuming 75% of traffic travels on SMR west and 25 % travels on SMR east of project.

P-8

P-9

ADT on SMR east of project

SMR-E	Exist	Exist+Proj	Difference	% Increase in ADT
Weekday	439	464	25	$(25 \div 439) \times 100 = 6\%$
Weekend	385	410	25	$(25 \div 385) \times 100 = 6\%$
Special Event	385	425	40	$(40 \div 385) \times 100 = 10\%$

P-10

Therefore, taking the data of ADT numbers from Figures 3.9-3 (Existing Conditions ADT) and Figure 3.9-9a (Existing plus Project Conditions ADT), ADT on SMR - E is projected to increase by 6% on Weekdays, 6% on Weekend days, and 10% on Special Event days, assuming 25% of traffic travels on SMR east of the project and 75% travels west of the project.

This is obviously where the 6% increase in traffic claimed in the report. However, it ignores the 21-27% increase in ADT on SMR-W and as much as 43% increase in ADT on Special Event days, and on SMR-E, the 10% increase on Special Event weekends.

P-11

Furthermore, the report states on page 3.9-26: "As described in the project description, the project applicant would request that all guests travel to the project site only from the south or west (from Santa Rosa or Rohnert Park) via Bennett Valley Road to Sonoma Mountain Road and not from Glen Ellen via Warm Springs Road and the eastern portion of Sonoma Mountain Road. This would further reduce the number of vehicles using this segment to access the project site." (Appendix 8).

P-12

Should all guests comply with this request, since the applicant knows that Sonoma Mountain Road is hazardous, then the ADT on Sonoma Mountain road west of project will increase by as much as 53% (43% + 10%) on Special Event weekends. (Appendix 10).

Assessment of these data from the reported Existing and Projected ADT figures contained within Figure 3.9-3 (Existing Conditions Average Daily Traffic) and Figure 3.9-9a (Existing plus Project Conditions Average Daily Traffic), brings into contention the stated 6% increase in ADT and all the traffic noise projections based on the erroneously stated 6% increase in ADT.

P-13

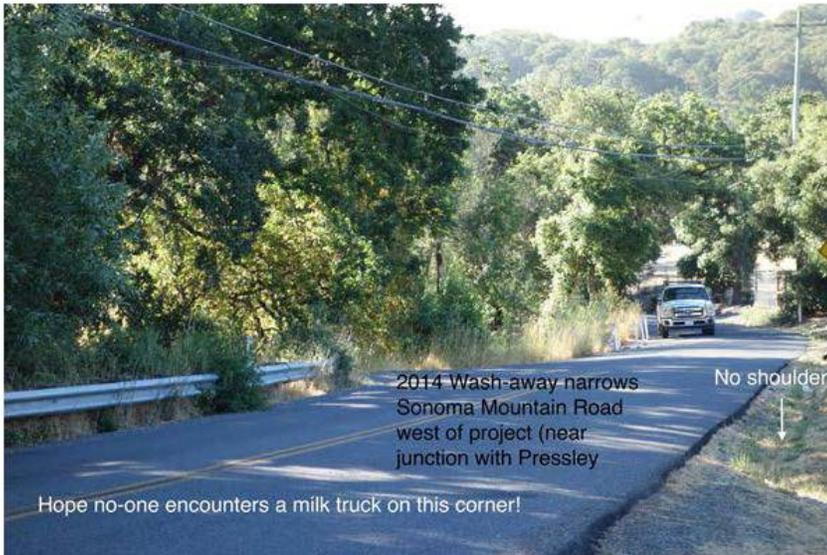
STATE OF SONOMA MOUNTAIN ROAD

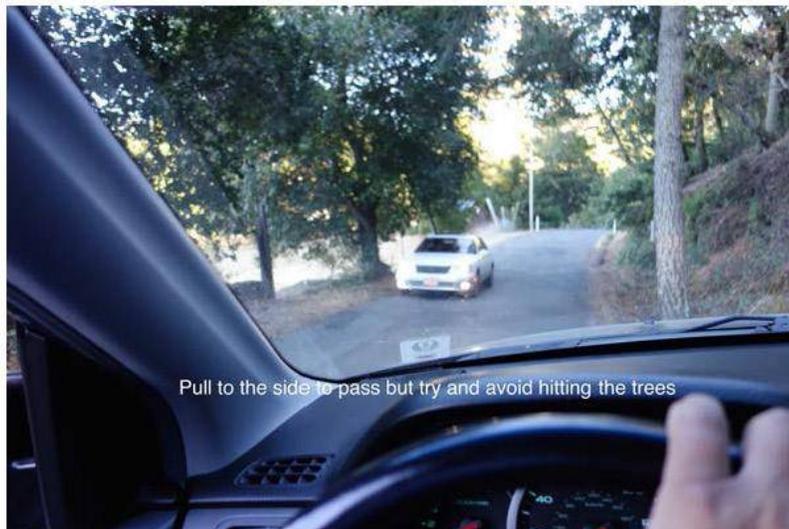
Page 3.9-5 "Existing Traffic and Roadway Conditions" (Appendix 9)

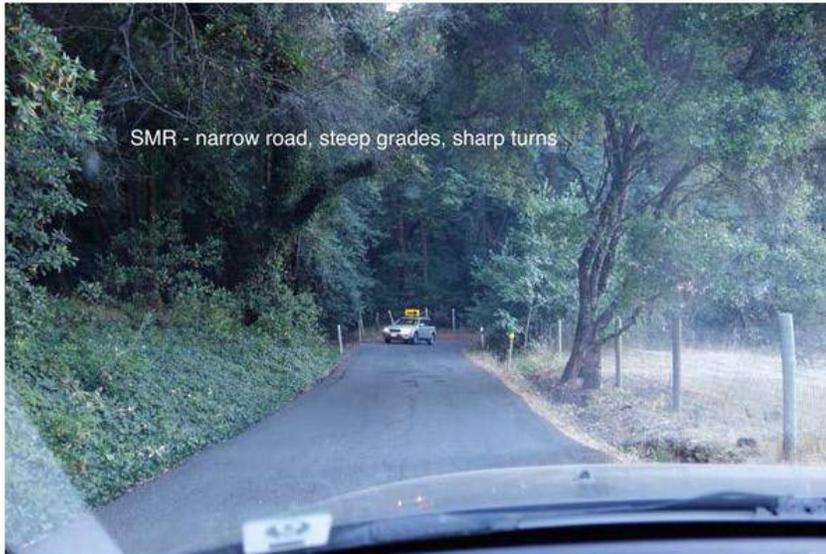
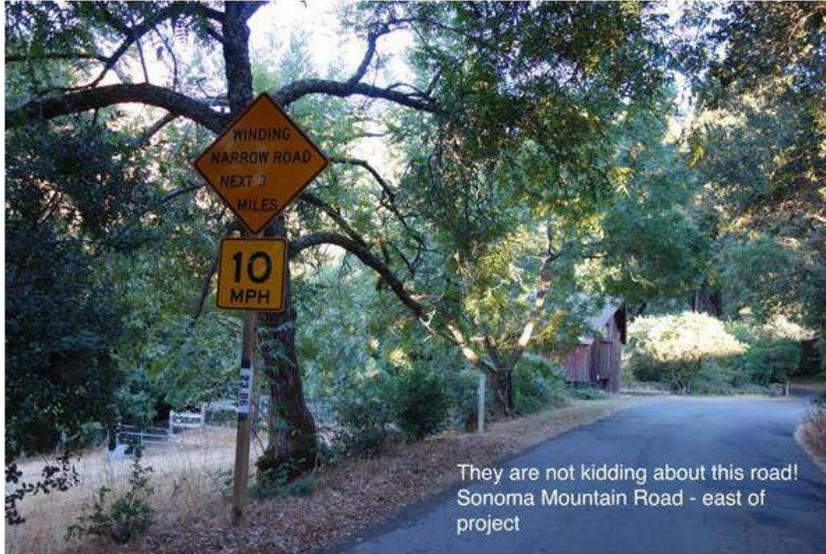
How does Sonoma Mountain Road look, to take on a projected increase in traffic between 21% on weekdays, to 27% weekend days and potentially 53% on Special Event days?

P-14

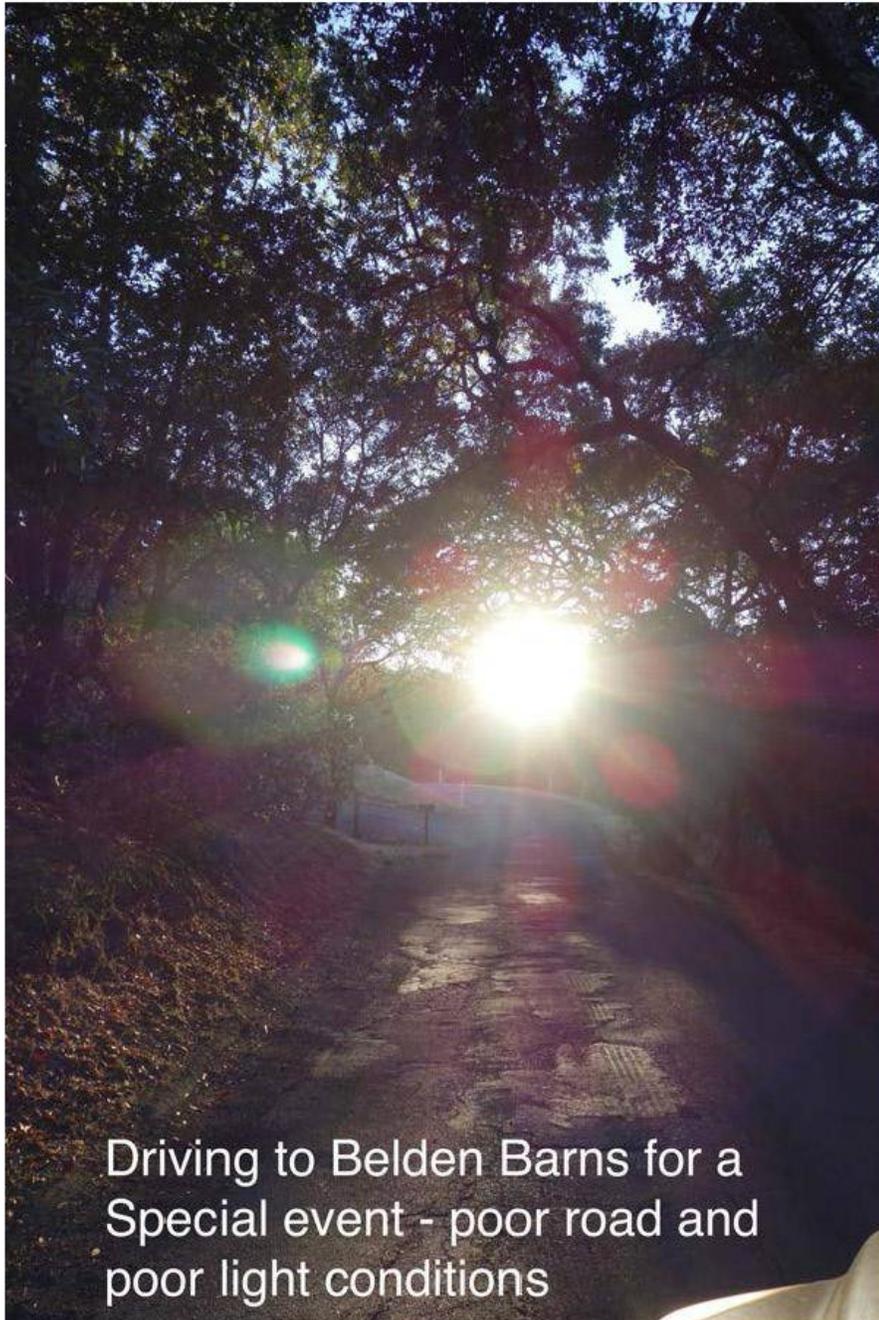




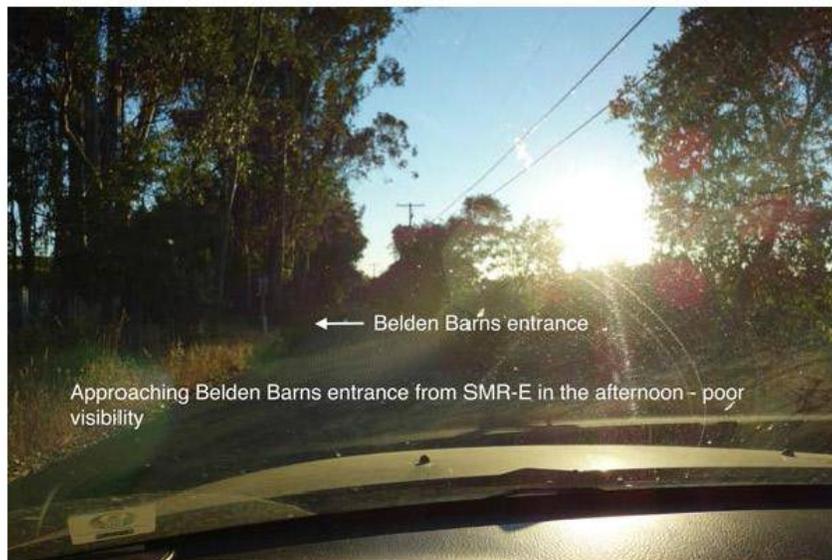












SUMMARY

No one should make any decision about this project without driving on Sonoma Mountain Road, in both directions, during peak hours, and at night, preferably without having had a glass of wine. It is every Sonoma County Board of Supervisor's civic duty to do so. If, after having safely accomplished this duty, one feels comfortable for one's own 19 or 20 year old son or daughter to drive SMR at night, then one is ready to stand-up and report this fact to the community after a tragedy, when it asks why this project was allowed, when we knew the road conditions to be so poor.

P-15

This Report can be summarized in a sentence. This is a commercial enterprise, cloaked in the guise of agriculture, not supported by commercial access roads, to the benefit of a few individuals, and at the cost of the immediate community and the greater Sonoma County community.

The Report appears to go to great lengths to obscure data to ensure that the anticipated project will fall within California regulations. It is completely erroneous to conclude that there will not be an impact on the community.

P-16

Good-bye Sonoma, hello Napa – the County will never be the same again. For us and generations to follow.

Appendix 1

3.8 – NOISE

Non-Transportation Noise

The ambient noise levels recorded at the eastern, southern, and western property lines² from existing operations are well within the allowable community noise exposure levels for noise-sensitive land uses, including the adjacent residential uses. The measurements were conducted during typical operations (i.e., there was not an event occurring during the measurements), and therefore the measured sound levels account for typical existing daily activities and standard mechanical equipment operation.

3.8.2 Regulatory Framework**Federal*****Federal Aviation Administration Standards***

Enforced by the Federal Aviation Administration (FAA), Code of Federal Regulations (CFR) Title 14, Part 150 prescribes the procedures, standards, and methodology governing the development, submission, and review of airport noise exposure maps and airport noise compatibility programs, including the process for evaluating and approving or disapproving those programs. Title 14 also identifies those land uses which are normally compatible with various levels of exposure to noise by individuals. **The FAA has determined that interior sound levels up to 45 dBA L_{dn} (or CNEL) are acceptable within residential buildings.** The FAA also considers residential land uses to be compatible with exterior noise levels at or less than 65 dBA L_{dn} (or CNEL).

Federal Highway Administration Standards

CFR Title 23, Part 772 sets procedures for the abatement of highway traffic noise and construction noise. Title 23 is implemented by the U.S. Department of Transportation (DOT) Federal Highway Administration (FHWA). The purpose of this regulation is to provide procedures for noise studies and noise abatement measures to help protect the public health and welfare, to supply noise abatement criteria, and to establish requirements for information to be given to local officials for use in the planning and design of highways. All highway projects which are developed in conformance with this regulation shall be deemed to be in conformance with the DOT-FHWA Noise Standards. Title 23 establishes a 67 dBA L_{eq(h)} standard applicable to federal highway projects for evaluating impacts to land uses including residences, recreational uses, hotels, hospitals, and libraries (23 CFR Chapter 1, Part 772, Section 772.19).

² At the northern property boundary, the noise levels (as represented by LT1) were dominated by noise from Sonoma Mountain Road. LT1, therefore, is not representative of noise levels from the existing on-site facility.

Appendix 2

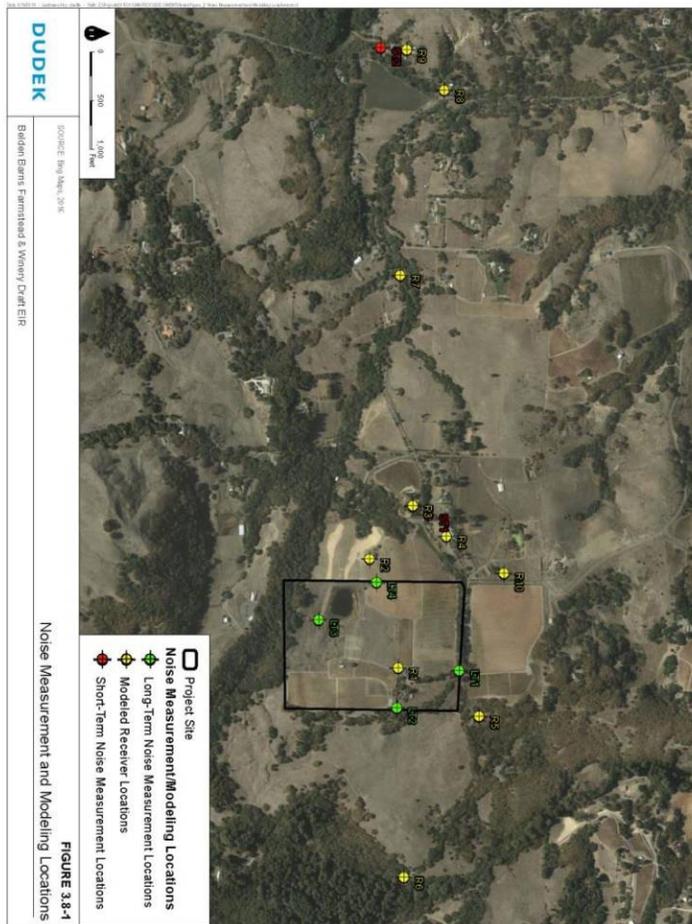
**Table 3.8-7
Project-Related Traffic Noise – Weekends (dBA Ldn)**

Receiver	Land Use/Receiving Point	Existing	Existing + Project Scenario 1	Existing + Project Scenario 2	Noise Increase (dB)	Cumulative	Cumulative + Project Scenario 1	Cumulative + Project Scenario 2	Noise Increase (dB)
R1	Project site/Sonoma Mountain Road front of project site	30	30	30	0	33	34	34	1
R2	Residence and barn/Sonoma Mountain Road west of project site	28	28	29	1	30	34	34	4
R3	Residence and barn/Sonoma Mountain Road west of project site	48	49	49	1	50	52	53	3
R4	Residence/Sonoma Mountain Road west of project site	43	43	44	1	44	47	48	4
R5	Residence/Sonoma Mountain Road east of project site	44	45	45	1	47	48	48	1
R6	Residence/Sonoma Mountain Road east of project site	45	45	46	1	49	49	49	0
R7	Residence/Sonoma Mountain Road west of project site	45	46	46	1	47	50	51	4
R8	Residence/Sonoma Mountain Road (residential access road) west of project site	53	53	53	0	55	55	55	0
R9	Residence/Prestley Road south of Sonoma Mountain Road	45	45	45	0	46	47	47	1
R10	Residence/Sonoma Mountain Road (West of Sonoma Ridge Road) northwest of project site	37	38	38	1	39	41	42	3

Belden Barns Farmstead and Winery Draft EIR
June 2016

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Appendix 3



Appendix 4

3.8 – NOISE

raised male voices at an event as proposed for this project would be sustained for 30 minutes or more during any 1-hour period. Additionally, a typical event would have some combination of male and female guests, and the noise levels would be lower for this reason as well. As shown in Table 3.8-9, the conservative estimate for noise levels for the maximum-attendance scenario (200 guests) would range from 38 dBA L₅₀ at the third-nearest residences, located approximately 1,400 feet to the northwest, to 45 dBA L₅₀ at the nearest residential property line, 600 feet to the north/northeast. For a scenario with 60 guests, the estimates range from approximately 43 L₅₀ to 36 dBA L₅₀. These noise levels would be below the applicable County of Sonoma noise standard for activities taking place between the hours of 7:00 a.m. and 10:00 p.m. of 50 dBA L₅₀. Furthermore, these noise levels, although they may be audible at nearby residences in light of the relatively low ambient noise levels, are unlikely to be of a level typically considered intrusive or disturbing. The noise from on-site events would be less than significant.

**Table 3.8-9
On-Site Event Noise**

Assuming Max. 200 people all male raised voice					
Receiver Description	Receiver Distance (feet)	Raised Male Voices (dBA L ₅₀)	String Quartet (dBA L ₅₀)	Combined (dBA L ₅₀)	Applicable Standard (45 dBA L ₅₀) Exceeded?
Nearest Residences (R5) Property Line (North/Northeast)	600	42.8	41.9	45	No
Nearest Residences (R5) (North/Northeast)	780	40.5	39.7	43	No
2nd-Nearest Residences (R2) Property Line (West)	1,070	37.7	36.9	40	No
2nd-Nearest Residences (R2) (West)	1,325	35.9	35.1	38	No
3rd-Nearest Residences (R10) Property Line (Northwest)	1,230	36.5	35.7	39	No
3rd-Nearest Residences (R10) (Northwest)	1,400	35.4	34.6	38	No
Assuming Max. 60 people all male raised voice					
Receiver Description	Receiver Distance (feet)	Raised Male Voices (dBA L ₅₀)	String Quartet (dBA L ₅₀)	Combined (dBA L ₅₀)	Applicable Standard (45 dBA L ₅₀) Exceeded?
Nearest Residences (R5) Property Line (North/Northeast)	600	37.5	41.9	43	No
Nearest Residences (R5) (North/Northeast)	780	35.3	39.7	41	No
2nd-Nearest Residences (R2) Property Line (West)	1,070	32.5	36.9	38	No
2nd-Nearest Residences (R2) (West)	1,325	30.7	35.1	36	No

Appendix 5

3.9 – TRANSPORTATION AND TRAFFIC

Traffic Safety Analysis

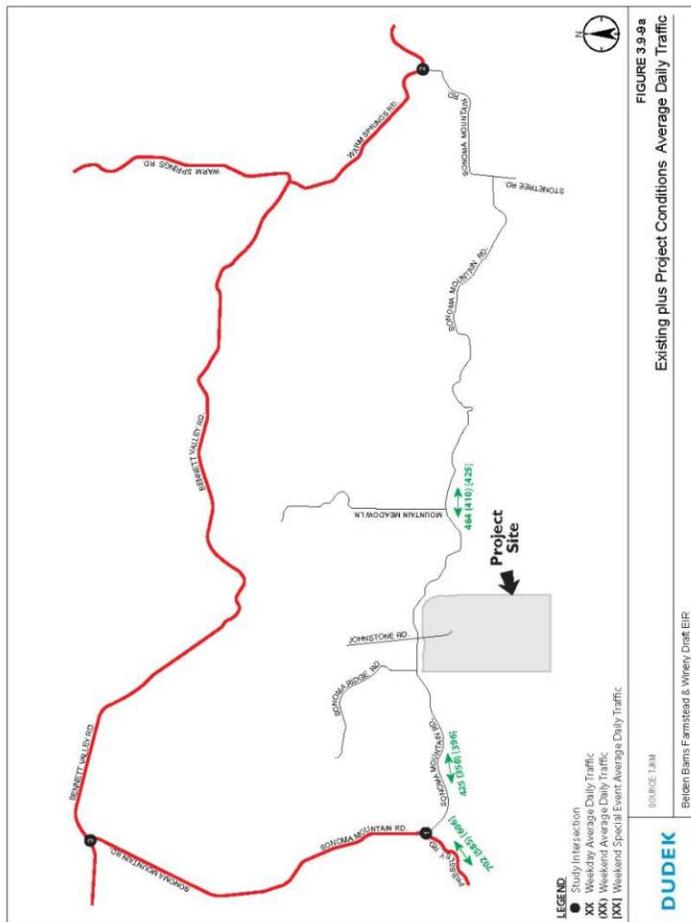
The proposed project is expected to generate 64 daily trips during non-harvest season, 100 daily trips during harvest season, and 711 daily trips during events. The primary access concerns are the narrow width and horizontal curves of Sonoma Mountain Road that lead to the project site driveway. Though the 6% increase in the traffic generated from the proposed project would not significantly impact Sonoma Mountain Road in terms of traffic operations as described above, it could present challenges for the drivers unfamiliar with the poor road conditions east of the project site. As described in the project description, the project applicant would request that all guests travel to the project site only from the south or west (from Santa Rosa or Rohnert Park) via Bennett Valley Road to Sonoma Mountain Road and not from Glen Ellen via Warm Springs Road and the eastern portion of Sonoma Mountain Road. This would further reduce the number of vehicles using this segment to access the project site. In addition, the proposed project is not anticipated to result in any increased hazards or incompatible uses on Pressley Road.

Driveway Sight Distance Analysis

TJKM's evaluation of sight distance was conducted based on sight distance criteria contained in the AASHTO reference *A Policy on Geometric Design of Highways and Streets*, also known as the AASHTO Green Book. As defined in the AASHTO Green Book, sight distance is the unobstructed length of roadway ahead that is visible to a driver. Available sight distance should be long enough for a vehicle traveling at or near the roadway design speed to come to a complete stop before reaching a stationary object in its path, for example a vehicle turning out of a driveway (AASHTO 2011).

The project site would continue to be accessed via the project driveway off Sonoma Mountain Road. To complete an outbound left turn or right turn from the project driveway, 305 feet of sight distance is required based on the 85th percentile speed of 40 mph on Sonoma Mountain Road in the immediate vicinity of the project driveway. In addition, westbound drivers on Sonoma Mountain Road coming out of the horizontal curve approaching the project driveway would need adequate sight distance to perceive and brake for any vehicles that are stopped in the roadway, waiting to turn left into the project site. This situation could occur and be particularly acute during agricultural promotional events. Effective available stopping sight distance of 305 feet is required approaching the project site driveway from the east. The project would include vegetation removal to provide 445 feet of sight distance to the east and 385 feet of sight distance to the west of the project driveway. The proposed vegetation removal would reduce potential impacts due to driveway site distance to less than significant.

Appendix 7



Appendix 8

3.9 – TRANSPORTATION AND TRAFFIC

Traffic Safety Analysis

The proposed project is expected to generate 64 daily trips during non-harvest season, 100 daily trips during harvest season, and 711 daily trips during events. The primary access concerns are the narrow width and horizontal curves of Sonoma Mountain Road that lead to the project site driveway. Though the 6% increase in the traffic generated from the proposed project would not significantly impact Sonoma Mountain Road in terms of traffic operations as described above, it could present challenges for the drivers unfamiliar with the poor road conditions east of the project site. As described in the project description, the project applicant would request that all guests travel to the project site only from the south or west (from Santa Rosa or Rohnert Park) via Bennett Valley Road to Sonoma Mountain Road and not from Glen Ellen via Warm Springs Road and the eastern portion of Sonoma Mountain Road. This would further reduce the number of vehicles using this segment to access the project site. In addition, the proposed project is not anticipated to result in any increased hazards or incompatible uses on Pressley Road.

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The project site would continue to be accessed via the project driveway off Sonoma Mountain Road. To complete an outbound left turn or right turn from the project driveway, 305 feet of sight distance is required based on the 85th percentile speed of 40 mph on Sonoma Mountain Road in the immediate vicinity of the project driveway. In addition, westbound drivers on Sonoma Mountain Road coming out of the horizontal curve approaching the project driveway would need adequate sight distance to perceive and brake for any vehicles that are stopped in the roadway, waiting to turn left into the project site. This situation could occur and be particularly acute during agricultural promotional events. Effective available stopping sight distance of 305 feet is required approaching the project site driveway from the east. The project would include vegetation removal to provide 445 feet of sight distance to the east and 385 feet of sight distance to the west of the project driveway. The proposed vegetation removal would reduce potential impacts due to driveway site distance to less than significant.

Appendix 9

3.9 – TRANSPORTATION AND TRAFFIC

Table 3.9-2
Collision Data – Sonoma Mountain Road

Location	Number of Accidents			Length (miles)	ADT ¹	MVM ²	Actual Accident Rate ³			Caltrans Average Accident Rate ⁴		
	Fatal	Injury	Total				Total Rate (c/mvm ⁵)	Injury (%)	Fatal (%)	Total Rate (c/mvm ⁵)	Injury (%)	Fatal (%)
Sonoma Mountain road from Bernet Valley Road to Pressley Road	0	1	2	2.19	625	2.50	0.80	50	0.00	1.14	44.8	2.2
Sonoma Mountain Road from Pressley road to Warm Springs Road	0	1	1	5.41	346	3.42	0.29	100	0.00	1.14	44.8	2.2

Source: SWITRS 2016

Notes:

- ¹ ADT - Average Daily Traffic
- ² MVM = Million Vehicle Miles
- ³ MVM = ADT*365*length*Years/1,000,000
- ⁴ Accident Rate (Rse) = A*1,000,000/ADT*365*Length*Years
- ⁵ Caltrans 2012, Collision data on California State Highways
- ⁶ c/mvm = collisions per million vehicle miles

The breakdown as shown in Table 3.9-2 shows that the two different segments of Sonoma Mountain Road each have noticeably lower than average collision rates when compared to the statewide average rate for similar highways.

Field Observations

TJKM conducted field observations during December 2015 and observed the following conditions:

Sonoma Mountain Road

Sight Distance—During the conducted field visit, potential locations were identified along Sonoma Mountain Road where drivers’ sight distance would be hindered due to a combination of horizontal curves, vertical curves, and vegetation and trees adjacent to the roadway. Figure 3.9-4 shows the identified locations along Sonoma Mountain Road. Table 3.9-3 summarizes the identified locations broken down between the study segments along Sonoma Mountain Road. Detailed information regarding the obstructions to sight distance at the identified locations is provided in Appendix II, along with photos of existing conditions.

Appendix 9a

3.9 – TRANSPORTATION AND TRAFFIC

**Table 3.9-3
Limited Sight Distance Locations – Sonoma Mountain Road**

Roadway Segment	Location Number	Roadway Width (ft)	Minimum Measured Sight Distance	Reasons for Sight Distance Obstruction
Between Bennett Valley Road and Pressley Road	N/A			N/A
Between Pressley Road and Sonoma Hodge Road	1 to 2	<17	Most curves have 170 to 290 feet	Vegetation, hill, vertical curve, horizontal curve, turnout at curve
Between Sonoma Ridge Road and Mountain Meadow Lane	2 to 14	11 to 20	Most curves have 120 to 240 feet	Vegetation, hill, vertical curve, horizontal curve, turnout at curve
Between Mountain Meadow Lane and Waldruhe Heights	14 to 20	14 to 21	Most curves have 95 to 160 feet	Vegetation, hill, vertical curve, horizontal curve, turnout at curve
Between Waldruhe Heights and Warm Springs Road	20 to 39	12.5 to 18	Most curves have 125 to 185 feet	Vegetation, hill, turnout at curve

Narrow Pavement—The pavement width ranges between 11 feet to 20 feet along Sonoma Mountain Road. As per *A Policy on Geometric Design of Highways and Streets* (AASHTO 2011), the lane width varies from 9 to 10 feet for similarly classified roads having comparable volumes and design speed. Though sufficient warning signs regarding the reduced pavement width and reduced advisory speeds are provided, narrow pavements may cause vehicles to not pass safely considering the topography.

No Paved Shoulder—The entire segment of Sonoma Mountain Road does not have a paved shoulder. The shoulders are made up of dirt that is not well compacted and may present a challenge for vehicles pulling to the side of the road, specifically during adverse weather conditions. In addition, unpaved shoulders often develop deep ruts due to tire wear or erosion.

Blind Curves—Sonoma Mountain Road is too narrow in some places for two vehicles to pass easily and has many sharp horizontal curves that limit how far in advance motorists can identify approaching traffic. Due to its topography, Sonoma Mountain Road has a number of horizontal and vertical curves that can create blind spots in the road based on a motorist's position. Trying to pass oncoming vehicles could result in a collision if one motorist fails to yield to the other. For example, Figure 3.9-4 shows a steep slope on curve number 14 on the north side and a steep slope upward on the south side of the road. Curve numbers 16, 17, and 18 are other examples that make up a sweeping curve with limited sight distance. Curve number 29 has a sharp turn with a driveway on the south side and trees on the north side of the road.

Elevation Changes—At certain locations, uphill and downhill segments on Sonoma Mountain Road may put increased demands on vehicle brakes. There is also a possibility of skidding during adverse weather conditions while descending roads with steep grades. For example, curve number 17, 18, 31, and 33 include elevation changes of approximately 3%.

Appendix 10

“The biggest issue for most people in Sonoma Valley is the increasing traffic on Highway 12. The worst tie-up in decades resulted not from a winery event, but a Lavender Festival that went viral on social media and clogged Highway 12 with cars for a mile on either side of the Chateau St. Jean entrance (also the entrance to the festival). Traffic was snarled for hours. A month earlier, a private event hosted at Ledson Winery also resulted in about a hundred cars parked on either side of the entrance on Highway 12, but not so much traffic delay.

In both instances, bicycle and pedestrian traffic was forced into the main thoroughfare.

The county’s 1989 General Plan forecast was that there would be just over 200 wineries operating now. In fact, there are over 440 and the number is increasing. There are 291 permits for wine tasting and event facilities. The most recent staff report on events singled out local concentrations of events in some areas, particularly Sonoma Valley, Dry Creek Valley, and Westside Road, which have all seen dramatic confrontations between residents and wineries over noise, traffic and events.”

Jay Gamel, Kenwood Press

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Letter P

Wayne Berry
August 1, 2016

P-1 The comment provides information on the Federal Aviation Administration's (FAA) standard for acceptable noise in residential buildings of 45 dBA L_{dn} , stating that it represents an average of the peak noise levels over a 24-hour period.

On page 3.8-9 the Draft EIR states that the FAA standards for acceptable noise levels within residential buildings is 45 dBA L_{dn} . L_{dn} is the day-night average sound level, but it is not a 24-hour average of peak noise levels. Rather, L_{dn} is a 24-hour average of total A-weighted sounds levels, where a 10 dB penalty is added to the nighttime hours from 10:00 p.m. to 7:00 a.m. due to increased sensitivity during this time. The definition of L_{dn} is provided on page 3.8-2 of the Draft EIR. Please see also Master Response NOI-1 which provides additional information on noise issues associated with the project.

P-2 The comment provides a video link to describe what 45 dB L_{dn} actually sounds like. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project. In addition, please see Master Response NOI-1 that does address this comment.

P-3 The comment asserts that the noise report glosses over the fact that at receivers 3 and 7 the 45 dBA L_{dn} would be exceeded. The comment also asserts that since the unit of sound is logarithmic, a simple difference of 1 to 4 dB cannot be discounted as insignificant. Please see Master Response NOI-1, which provides more detail on noise issues associated with project operation.

P-4 The comment notes the placement of receiver 10 on the lowest point of Sonoma Ridge Road approximately 30 feet below the residence located at 255 Sonoma Ridge Road, which is on a similar elevation as the project site. This comment also asserts that the report does not mention the amplifying effect of the mountain. Please refer to Master Response NOI-1 for information pertaining to noise concerns associated with project operation.

P-5 The comment asserts that using sound level data for a string quartet and raised male voices would have a combined 45 dBA L_{50} , meaning that during any 30 minute play of music, the noise level will not exceed 45 dBA 50% of the time. Draft EIR page 3.8-

- 21 states that “[t]he conservative estimate for noise levels for the maximum-attendance scenario (200 guests) would range from 38 dBA L₅₀ at the third-nearest residences, located approximately 1,400 feet to the northwest, to 45 dBA L₅₀ at the nearest residential property line, 600 feet to the north/northeast.”
- P-6** The comment states that it would be naïve for anyone to imagine that an amplifier, DJ or band with amplified sound would not be used during these events and that the events won’t have an impact on the surrounding community. The Project Description, on page 2-5 of the Draft EIR, specifically states that there would be no outdoor amplified sound at any event. The text has been further clarified to state that no amplified sound would be allowed, as noted in Master Response NOI-1.
- P-7** The comment alleges that given the noise facts and questionable estimate of traffic volumes, it is inaccurate for the report (Draft EIR) to conclude that the project would have no impact on the community.
- Traffic counts and intersection turning movement volumes were conducted at the three study intersections, listed on page 3.9-3, during the am and pm peak hours and during the weekend peak period on December 8-13, 2015 and February 3-13, 2016. These three intersections were evaluated in accordance with the standards set forth by the transportation impact criteria of the County of Sonoma and in accordance with County staff. Additionally, 24-hour bidirectional traffic volume data was collected for a 7-day period during October/November 2015 along both directions of Sonoma Mountain Road and Pressley Road. The analysis of existing conditions was completed according to the methodology listed in the California Department of Transportation’s 2010 *Highway Capacity Manual*, as described in Appendix H of the Draft EIR. Additional information regarding the project’s potential traffic impacts is provided in Master Response TRAFF-1. Additional information regarding noise impacts from project operation is provided in Master Response NOI-1.
- P-8** The comment questions where it was determined that the project would have a 6% increase in traffic volumes and also provides a table that asserts the average daily traffic on Sonoma Mountain Road west of the project site would increase by 21-27% on weekdays and weekends and up to 43% on special event days. Please see Master Response TRAFF-1 for more information.
- P-9** The comment provides a table created from information provided in Figures 3.9-3 and 3.9-9a and states that on Sonoma Mountain Road east of the project site, the

- project would increase traffic by 6% on weekdays and weekends and by 10% on special event days and alleges that the Draft EIR ignores the potential 21-27% increase in traffic on Sonoma Mountain Road west of the project site, and as much as a 43% increase on special event days. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.
- P-10** The comment asserts that the assessment of the data from Figures 3.9-3 and 3.9-9a contends the stated 6% increase in average daily traffic and all the traffic noise projections based on this stated increase. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.
- P-11** The comment questions whether Sonoma Mountain Road would be able to support an increase of 21-27% traffic on weekdays and weekends, and potentially 53% on special event days. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.
- P-12** The comment claims that should all guests comply with the request to travel to the project site only from the south or west, the average daily traffic on Sonoma Mountain Road west of the project would increase by as much as 53% on special event weekends. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.
- P-13** The comment states that based on the above comments, the 6% increase in ADT and traffic noise projections based on the 6% increase, as shown in Figures 3.9-3 and 3.9-9a, are incorrect. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.
- P-14** The comment asks how Sonoma Mountain looks to take on a projected increase in traffic between 21% on weekdays to 27% on weekend days and potentially 53% on Special Event days. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.
- P-15** The comment suggests that no decisions should be made about the project without first driving on Sonoma Mountain Road, in both directions, during peak hours, and at night. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

- P-16** The commenter is expressing his opinion that the project is a commercial enterprise that will benefit a limited number of people in the community. The commenter also states that the report (Draft EIR) obscures data and incorrectly states that there will not be an impact on the community. The commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

Comment Letter Q

Law Office of Rose M. Zoia

50 Old Courthouse Square, Suite 401
Santa Rosa, California 95404
707.526.5894 . fax 707.540.6249
rzoia@sbcglobal.net

August 1, 2016

via email

Melinda Grosch
Sonoma County Permit and Resource
Management Department
2550 Ventura Avenue
Santa Rosa CA 95403

RE: Belden Barns Winery and Creamery Project
Comments on the Draft Environmental Impact Report (DEIR)

Dear Ms. Grosch:

On behalf of Friends of Sonoma Mountain Road, please accept these
comments on the Draft Environmental Impact Report (DEIR) for the
above-referenced project.¹

The Project

The DEIR describes the project as "a new cheese making, winemaking,
farmstead food production facility, and tasting room on the 55-acre project site."
(P. 2-4)² The primary uses are the production facility (creamery and winery),
tasting room by appointment, and agricultural promotional events. (Pp. 2-4--2-5)
It is not clear if the "by appointment" designation applies to just wine tasting or
wine and cheese tasting. The proposed production facility, in a new nearly

Q-1

¹ The DEIR was prepared as a result of a settlement agreement in the matter of
Friends of Sonoma Mountain Road v. County of Sonoma, Sonoma County Superior
Court Case No. 25633. Also pursuant to the settlement agreement, on July 15, 2015,
the Board of Supervisors set aside the prior adoption of a Mitigated Negative
Declaration and prior project approval.

² The definition of "farmstead" is, broadly, "a farm with its buildings."
http://www.merriam-webster.com/dictionary/farmstead

Letter to Melinda Grosch
 August 1, 2016
 Page 2

11,000 square-foot (sf), two-story building, would consist of a new 10,000 pound creamery and 10,000 case winery with regular production hours of 7:00 a.m. to 6:00 p.m., Monday through Friday. Wine production harvest hours would be 6:00 a.m. to 10:00 p.m., seven days per week, during the harvest season, typically late August through mid-October. Fruit for the wine would come both from the project site and off-site with approximately 50 tons coming from off-site (and which would produce roughly a third of the total proposed production). Sixty-five to 70 percent of the milk for cheese would come from off-site. Products would be sold on site as well as shipped from the site to wholesalers or retailers weekly by truck.

The proposed tasting room and processing building (hospitality building) would be a in one-story 3,033 sf structure and include, among other things, a "by-appointment-only" tasting room, tasting areas, product processing, a commercial kitchen, and sales of products. The proposed tasting room hours would be 11:00 a.m. to 5:00 p.m., seven days per week.

The proposed project would include eight agricultural promotional events per year, including one or more weddings, with up to 200 participants in indoor and outdoor areas of the farm building complex to end by 9:30 p.m. with cleanup to end by 10:00 p.m. and no outdoor amplified music. It is unclear whether other amplified sound is requested.

Q-2

A. The California Environmental Quality Act (CEQA) and the Importance of EIRs

The process compelled by CEQA "is a meticulous process designed to ensure that the environment is protected" ³ "The integrity of the [CEQA] process is dependent on the adequacy of the EIR."⁴ The EIR, with all its specificity and complexity, is the mechanism prescribed by CEQA to force informed decision making and to expose the decision making process to public scrutiny.⁵ The California Supreme Court established that the EIR is "the heart of

³ *Planning and Conservation League v. Department of Water Resources* (2000) 83 Cal.App.4th 892.

⁴ *Save Our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 118-119.

⁵ *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 86.

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 Page 3

CEQA.⁶

An EIR is an "environmental 'alarm bell' whose purpose it is to alert the public and its responsible officials to environmental changes before they have reached ecological points of no return." [Cites.] The EIR is also intended "to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action." [Cites.] Because the EIR must be certified or rejected by public officials, it is a document of accountability. If CEQA is scrupulously followed, the public will know the basis on which its responsible officials either approve or reject environmentally significant action, and the public, being duly informed, can respond accordingly to action with which it disagrees. [Cites.] The EIR process protects not only the environment but also informed self-government.⁷

As such, the EIR is to provide public agencies and the public with "detailed information about the effect which a project is likely to have on the environment, to list ways in which the significant effects of such project might be minimized; and to indicate alternatives to such a project."⁸

This DEIR fails in many critical respects related to, among other areas, hydrology/water supply, wastewater, land use and planning, noise, traffic safety, and alternatives analysis.

Impacts Analyses are Inadequate

Hydrology/Water Supply

As explained by Peter Dellavalle, of West Yost Associates, the Groundwater Resources Technical Report (DEIR Appendix F) failed to assess two scenarios that could result in potentially significant impacts and understates the potential interference with neighboring wells. (Exhibit A, p. 1)

Q-3

⁶ *Laurel Heights Improvement Ass'n v. Regents of the University of California (Laurel Heights I)* (1988) 47 Cal.3d 376, 392.

⁷ *Ibid.*

⁸ Public Resources Code (CEQA) §§ 21061 [emphasis supplied].

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The Technical Report evaluates the 23 gallons per minute (gpm) water needs of the proposed project based on the existing, small pump, but the well can accommodate a much higher capacity pump which would "allow substantially greater groundwater production" up to 500 gpm. (Exhibit A, pp. 1-2)

The Technical Report also does not consider the impacts of using groundwater for irrigation.

The Technical Report contains discrepancies related to transmissivity and drawdown effects on neighboring wells.

Mr. Dellavalle concludes that

... two likely eventualities have not been addressed: installation of a higher capacity pump in the existing well, and the use of groundwater for irrigation. Further, the calculated transmissivity appears to be high and the well interference analysis does not agree with the observed effect of pumping on neighboring wells. Unless the potential increases in groundwater production and groundwater use are assessed, and until the technical discrepancies have been resolved, West Yost believes that the County of Sonoma should consider the impacts to groundwater supplies and the interference with nearby wells as potentially significant impacts.

(Exhibit A, p. 2.)

Finally, the second to last bullet point on page 3.7-32 of the DEIR reads ". . . (at the well's maximum capacity of 23 gpm)." It should read ". . . (at the pump's maximum capacity of 23 gpm)."

Wastewater

Stephen Wm. Bilson of ReWater, Inc., explains that the nature of the wastewater from this project is unknown and, therefore, it is unknown whether the proposed treatment plan will work or whether the disposal of the wastewater will cause significant impacts. (Exhibit B)

The DEIR identifies Sanitary Wastes (SW) from the tasting room, sewage from toilets and sinks for up to 200 people on occasion and from up to 12 full-time employees, and a commercial kitchen; and Process Wastes (PW) from the production of 10,000 pounds of cheese and 10,000 cases of wine annually. SW

Q-4

Q-5

Q-6

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water contains a host of bacteria and PW waste contains organic matter such as lactose, soluble protein, and salts (analyzed as ash). The DEIR does not address treatment of wash-down wastewater from the dairy, which can cause significant impacts.

As Mr. Bilson succinctly states, "The wastewater from this proposed project is not your garden variety." (Exhibit B, p. 3) He explains that, however, the DEIR does not adequately explain the treatment processes to support the conclusion that "[t]he proposed wastewater management systems would be adequate to treat and dispose of all projected SW and PW flows generated from the proposed project." The DEIR does not supply sufficient descriptions of the systems including the "rotary screen for solids filtration," the "septic/settling tanks," the plan for aeration, the "separate commercial grade aerated textile pre-treatment unit," i.e., Advantex system made by Orenco, the "aboveground storage tank of the final wastewater," and the plan to "ultimately (dispose) via drip irrigation to the existing vineyard on site."

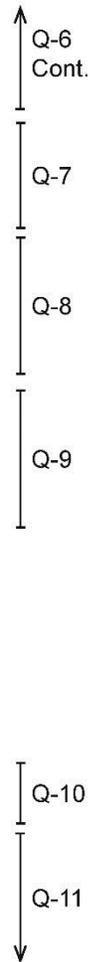
Mr. Bilson further explains that the proposed disposal of the wastewater, the contents of which remain unknown, consists of reliance on the soils to "polish" or further treat the wastewater. Yet, there is inadequate information in the DEIR about the nature and characteristics of the soils to reach a conclusion about efficiency of further treatment and whether it will cause pollutants to enter the groundwater.

The DEIR's discussion and analysis of the significant wastewater issue is deficient.

Land Use and Planning

The DEIR concludes that the Initial Study (IS) prepared for the prior Mitigated Negative Declaration sufficiently analyzed land use impacts and, therefore, were not analyzed in the DEIR. (Pp. 3.1-9–3.1-10)

The question is whether the project conflicts with any applicable land use plan including, in this case, the Bennett Valley Area Plan (BVAP). The IS did not analyze consistency with the BVAP. (DEIR, Appendix B: Initial Study, pp. 34-38) The DEIR discusses the BVAP only with respect to policies to maintain visual amenity and design standards. (Pp. 3.2-13–3.2-14) The project is inconsistent with the provision in the BVAP prohibiting the introduction of commercial uses. Sonoma County General Plan policy LU-1a mandates that more restrictive provisions in the BVAP apply over less restrictive General Plan provisions. Two



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major goals define the BVAP: (1) to retain and enhance the rural character, and (2) to reflect the environmental and economic constraints, suitabilities and sensitivities of the area in the determination of the location and intensity of development. To achieve these goals, the BVAP established that “[c]ommercial development is not considered appropriate to the rural character of Bennett Valley.” (BVAP, p. 9)

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Q-11
Cont.

The first “primary use” the DEIR lists for the proposed project is the production facility to make wine and cheese. (DEIR, p. 2-1) Fifty tons of grapes and the majority of raw ingredients for the cheese will come from off-site. The simple definition of a commercial enterprise is one “related to or used in the buying and selling of goods and services,” “concerned with earning money,” and “relating to or based on the amount of profit that something earns.” The proposed production facility, a huge 10,941 sf complex, is the focus of this project and takes the purported agricultural purpose over into the commercial realm. (See DEIR, figures 2-4 & 2-5, depicting large production facility and hospitality building with additional processing; see also figures 2-6A--2-7C)

Noise

According to a peer review prepared by Alana DeLoach of Vibro-Acoustic Consultants, of the May 2016 Noise Assessment Technical Report prepared for the project,

- Completely missing from the analyses are assessments of calculated noise in comparison to the existing ambient conditions, which is required per Impact Thresholds 3 and 4
- The traffic noise modeling appears to be in strong disagreement with actual measures of noise levels, at least at ST-1/R4.
- Mechanical equipment noise assessment does not include all equipment and assumes a 5-foot tall barrier wall will block line-of-sight without corroborating documentation.
- Noise impacts were not assessed at outdoor use areas, such as North Sonoma Mountain Regional Park and Open Space Preserve.

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Q-12

(Exhibit C)

In addition, there is no basis or evidence for the assumption that event noise will be insignificant. At such convivial events, raised voices should be anticipated. Additionally, the claim that “a typical event would have some

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Q-13

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combination of male and female guests, and the noise levels would be lower for this reason as well" is not true. Although the female voice tends towards a higher frequency spectrum than that of a male voice, it is entirely possible that a group of females laughing loudly could result in a higher overall sound power level than a group of males speaking in a causal or normal voice.

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 Q-13
 Cont.

Also, an alternate type of un-amplified musical quartet, i.e. a jazz band with a drum set, may generate a higher sound power level than the string quartet example provided in the report. As the report does not explicitly define all assumptions made and calculation methods employed, more information is needed to assess the resulting noise level for Nearest Residences (R5) Property Line (North/Northeast).

Q-14

The Dudek noise report acknowledges that voices will be audible at nearby residences; in fact, individuals at surrounding residences can clearly hear and make out conversations between two individuals on the site. The report concludes that "in light of the relatively low ambient noise levels" noise is unlikely to be at a level that is typically considered intrusive or disturbing. There is no basis or evidence for making this very subjective conjecture. There are no metrics to quantify "intrusive or disturbing" noise.

Q-15

The report, incorporated in full herein, details these serious deficiencies. Ms. DeLoach concludes that

When the above deficiencies are addressed, particularly the lack of comparison between the calculated project noise levels and existing ambient conditions, there is reasonable evidence that the proposed project will create significant noise impacts at Receivers R2 during Special Events, and at R2 and R5 during construction activities.

(Exhibit C, p. 4)

Q-16

Finally, the County spent approximately \$20 million for the North Sonoma Mountain Regional Park and Open Space Preserve with a main purpose of protecting the wildlife corridor which runs through land adjacent to the project site. Nighttime noise or light, particularly with respect to the processing, could have a serious impact on the corridor and wildlife. Thus, a noise assessment of this particular issue is required to protect the integrity of the park and the county's investment.

Q-17

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Traffic and Road Safety

Pang Ho of PHA Transportation Consultants conducted a peer review of the traffic study prepared by TJKM Transportation Consultants, dated May 31, 2016, and a reconnaissance review of Sonoma Mountain Road. (Exhibit D) PHA concluded the traffic study did not adequately identify the potential traffic impacts of the proposed project nor provide adequate mitigation measures to minimize project impacts. In sum,

the traffic report failed to adequately address the traffic safety issues on Sonoma Mountain Road, which is a major concern in the area. Sonoma Mountain Road is narrow with no shoulders. The section east of the site toward Warm Spring Road has many sharp curves, both vertical and horizontal with extremely limited sight distance. Some sections of the road have poor pavement surface and with only one 10- foot wide traffic lane to accommodate travel both directions. This will present a major traffic safety issue for visitors and guests at wine tastings, weddings, and other special events at the project site, especially after consuming alcohol and others using the road including pedestrians, bicyclists, and emergency vehicles.

Q-18

(Exhibit D) PHA's report is incorporated fully herein so only conclusions will be pointed out in this letter. Among other things, PHA notes that

- Analyses related to trip rates, peak hour generation, travel trip distribution, traffic counts, and parking are confusing, unrealistic, and/or inconsistent.
- Wine tasting, weddings, and special events where alcohol is served could create potential traffic safety impacts
- The conclusion that the project would have no impacts on pedestrian and bicycle facilities is true only because there are no pedestrian sidewalks or bike lanes (facilities) on Sonoma Mountain Road.
- Project traffic, particularly on special event days, would negatively affect pedestrian and bicyclist activity.
- The report concludes the project's increase in traffic volume by 6% on Sonoma Mountain Road is not significant, however for a local low-volume road such as Sonoma Mountain Road, a 6% increase would be quite noticeable and should be considered significant.

Q-19

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- For insufficient sight distance, the report recommends clearing vegetation but this may or may not work as there are mature trees on both sides of the current driveway along with utility poles and removing them would likely change the environmental character of the road.
- The report recognizes the eastern section of Sonoma Mountain Road is narrow and difficult to maneuver and suggests the applicant advise guests and visitors to approach the site from the west. This may or may not work for those visiting the site from areas to the south but those coming from the east or southeast would most likely come via the east approach of Sonoma Mountain Road through the City of Napa and Glen Ellen. For wine tasting, people generally will visit more than just one winery. Visitors to the proposed project site would likely first stop by wineries in Napa or Glen Ellen, then continue through to the proposed winery. This means these visitors would have no choice but to use east Sonoma Mountain Road to approach the proposed project site.

Q-20

Q-21

PHA concludes:

In our professional opinion, while there are a number of areas in the TJKM traffic report may need to be re-evaluated, our biggest concern with the project is traffic safety on Sonoma Mountain Road, particularly the eastern section but also on the western section. The many sharp curves with extremely limited sight lines, narrow pavement with no shoulders for motorist avoid on-coming traffic, would present a major challenge to special event guests and visitors, particularly after consuming alcohol. The County and the project proponent need to identify strategies to resolve this issue ahead of time, or the impacts remain significant.

Q-22

(Exhibit D, p. 7) Mr. Ho included a link in his report with a short video taken while he test drove Sonoma Mountain Road in the morning on Saturday, July 2, 2016, showing a close encounter with a fast moving oncoming vehicle along the east segment of Sonoma Mountain Road. As he states, "The encounter was more dramatic in person, but this demonstrates the point." (PHA, p. 8) The point is that Sonoma Mountain Road is a substandard and extremely dangerous road and unfit for the uses proposed by this project.

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The Alternatives Analysis is Inadequate

A critical flaw in the EIR is the failure to consider and fully evaluate all feasible alternatives. An EIR must consider a reasonable range of alternatives to the project which: (1) offer substantial environmental advantages over the project proposal, (2) may be 'feasibly accomplished in a successful manner' considering the economic, environmental, social and technological factors involved, and (3) meet project objectives to some degree.⁹

The error here arises from the phrasing of the project objectives so narrowly as to result in a skewed alternatives analysis. Project objectives may not create a minutely-detailed blueprint that only the project can meet, i.e, simply mirror the project description. That sort of tautology would preclude meaningful consideration of alternatives.¹⁰

Here, the unduly narrow project objectives, particularly the use of the word "on-site" in nos. 3 and 4 below, and the inclusion of "events" in nos. 5 and 7, make the range of alternatives inadequate. The objectives are stated in the DEIR as follows:

1. Create an economically self-sufficient and viable business growing and selling wine and farmstead goods.
2. Construct and operate a farmstead and winery capable of producing approximately 10,000 pounds of cheese and approximately 10,000 cases of wine each year, using primarily agricultural products grown on site.
3. For the purpose of on-site marketing, create an on-site experience that attracts and connects customers to small-scale, integrated, sustainable farming and to the farmers, winemakers, and cheesemakers.

Q-23
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⁹ *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 566. A project may not be approved if there are feasible and environmentally-superior alternatives, even if those alternatives would impede the attainment of project objectives to some degree. (Pub. Res. C § 21061.1; Guidelines, §§ 15126.6, subd. (b), 15364.)

¹⁰ *North Coast Rivers Alliance v. Kawamura* (2015) 243 Cal. App. 4th 647, 654 (EIR violated CEQA by giving the project's objectives an artificially narrow definition thereby omitting analysis of reasonable alternatives)

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- 4. Provide on-site tasting and direct-to-consumer sales of farmstead products and wine, by appointment only.
- 5. Promote environmentally sustainable operations in all agriculture, production, and events.
- 6. Provide opportunities for small-scale sustainable farmers and food artisans to operate on site and develop demand for their products.
- 7. Provide agricultural promotional events that promote wine and farmstead products grown and produced on site.

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Q-23
Cont.
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(DEIR, p. 5-1–5.2)

Construct and operate a farmstead and winery capable of producing approximately 10,000 pounds of cheese and approximately 10,000 cases of wine each year, using primarily agricultural products grown on site.

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Q-24
↓

The logical inconsistency is that they are producing cheese from milk 65 - 70% of which comes from off-site. That is NOT "using primarily agricultural products grown on site". Even combining the wine at 50% from on-site the total of the two still comes primarily from agricultural products GROWN OFF-SITE.

The DEIR discussed three alternatives in addition to the requisite No Project alternative: No Tasting Room Alternative, Off-Site Tasting Room Alternative, and No Events Alternative.

Under the No Tasting Room Alternative, the hospitality building would be reduced in size and not include tasting. It would still include a commercial kitchen for the processing of farmstead goods and a demonstration room for use during events. The project would add two additional acres of crops and orchard. The wine and cheese production facility would operate as proposed under the project and the hospitality building would still be used for processing farmstead goods. The farmstead products and wine would be available for tasting and purchase at events. The DEIR states that "these products would need to be shipped off-site which would increase trips to and from the site." However, the proposed project also includes shipping of products off-site and there is no showing that the No Tasting Room Alternative would significantly increase truck trips. The amount of product that would be shipped off-site in either the proposed project or the No Tasting Room Alternative is unknown.

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Q-25
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Similarly, the DEIR states that the No Tasting Room Alternative would reduce daily vehicle trips by 34 during non-harvest season and by 48 during harvest season but the reduction in vehicle trips would be slightly offset by the increase in truck trips associated with additional export of goods. Since the quantity of products to be exported is unknown, it is impossible to claim an offset in trips.

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Q-25
Cont.

The DEIR states that this alternative would not meet the objective of providing direct-to-consumer sales of farmstead products and wine but Direct-to-consumer sales could occur at events on-site.

The Off-site Tasting Room Alternative would allow for operation of a tasting room off site, most likely in a developed area such as the cities of Santa Rosa or Rohnert Park. The DEIR offers no explanation of why these cities were chosen as opposed to closer areas such as Glen Ellen or Kenwood.

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Q-26

The off-site tasting room would include a commercial kitchen to handle all processing of farmstead goods and wine, cheese, and produce processing, tasting, and sales would take place at the off-site location. Thus, the hospitality building would be eliminated from the project plans but agricultural promotional events would remain. The DEIR inexplicably states that locating the tasting room off site would not meet the objective of direct-to-consumer sales of farmstead products and wine. The direct-to-consumer sales would occur at the off-site tasting room and, as such, the objective would be met.

The DEIR states that the No Events Alternative would meet the objectives to create an on-site experience that attracts and connects customers to small-scale, integrated, sustainable farming; and to provide opportunities for small-scale sustainable farmers and food artisans to operate on site and develop demand for their products, to a lesser degree than the proposed project. It is not clear how retaining processing and on-site tasting of wine, cheese, and produce would impact these objectives at all.

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Q-27

The DEIR rejected including an alternative that would reduce cheese production from 10,000 pounds to 5,000 pounds because "no significant impacts would occur as a result of cheese production alone. Therefore, an alternative to reduce cheese production would not avoid or substantially lessen any significant impacts of the project." (P. 5-3) This logic appears disingenuous since the DEIR also found that no significant impacts would occur from the tasting room alone yet includes an off-site tasting room alternatives. This is further proof

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Q-28
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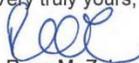
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that the alternatives analysis is nothing more than an exercise in an attempt to fulfill legal obligations.

The DEIR concludes that the environmentally superior alternative is the No Tasting Room Alternative, since it would reduce impacts to aesthetics, air quality, geology and soils, GHG emissions, hydrology and water quality, noise, and transportation and traffic, when compared to the proposed project but the proposed project would not result in any significant impacts after mitigation. In the first instance, it seems the Off-site Tasting Room Alternative would reduce the same impacts. In any event, as discussed above and in other submissions to the record, the proposed project will, in fact, create significant impacts that have not been, and cannot be, mitigated.

This DEIR is critically flawed and must be re-written and re-circulated with all deficiencies corrected.

Thank you for your close attention to this matter.

Very truly yours,

Rose M. Zola

↑ Q-28
Cont.
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Q-29
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Q-30

**TECHNICAL MEMORANDUM**

DATE: August 1, 2016 Project No.: 658-16-15-01
SENT VIA: EMAIL

TO: Ms. Laura Peltz
County of Sonoma

CC: Law Office of Rose M. Zoia

FROM: Peter Dellavalle, PG #9189

REVIEWED BY: Andrew S. Rodgers, CPESC #6475

SUBJECT: Groundwater Resources Technical Report Review
Belden Barns Farmstead and Winery Project
Santa Rosa, CA

At the request of the Law Office of Rose M. Zoia, West Yost Associates (West Yost) reviewed the Groundwater Resources Technical Report in Appendix F of the Draft Environmental Impact Report for the Belden Barns Farmstead and Winery Project prepared for the County of Sonoma by Dudek. The stated goal of the Dudek report was to evaluate whether the proposed uses on the site would have adverse impacts with regard to depletion of groundwater in storage, interference with neighboring wells, and adjacent surface water depletion or groundwater quality. Dudek concluded that "the proposed project would not substantially deplete the aquifer or result in well interference sufficient in magnitude to affect the productivity of off-site wells or result in a decrease in surface water flows."

The report reasonably demonstrates that there is sufficient groundwater in storage to supply the needs of the project as described. However, there are two technically feasible scenarios that could result in potentially significant impacts that have not been assessed, as well as two technical discrepancies that suggest that the interference with neighboring wells may be understated.

GROUNDWATER PRODUCTION COULD BE GREATER

The Dudek evaluation is based on the stated need of the proposed project and on the capacity of the existing pump—a 2-horsepower, 230-volt, single phase submersible pump that produces 23 gpm. The 8-inch diameter of the Belden Well (Identified as A-1 in the Dudek report) is large enough to accommodate a higher capacity pump. Installation of a larger capacity pump could allow substantially greater groundwater production.

Exhibit A

2235 Mercury Way, Suite 105

Santa Rosa, CA 95407

Phone 707 543-8506

Fax 530 756-5991

westyost.com

Technical Memorandum
August 1, 2016
Page 2

According to the Product Guide for submersible pumps by Grundfos, a manufacturer of commonly used pumps, the existing 230-volt, single phase power will allow the installation of a 5-horsepower pump capable of up to 85 gpm in the well. If three-phase power was provided, installation of a pump with even greater production, up to 500 gpm, is possible. The assessment should consider the potential impacts of a higher capacity pump.

GROUNDWATER USE COULD BE GREATER

The existing water conveyance system allows groundwater from the well to be pumped into the reservoir, where it can then be used for irrigation. Because it is technically possible to use groundwater for vineyard irrigation, the assessment should consider the potential impacts of such use.

Technical Questions

1. The calculated transmissivity presented in Section 6.4 appears to be high. Dudek calculated a transmissivity of 20,496 gallons per day/ft based on the results of a 24-hour pump test. This value is greater than that predicted by a commonly used empirical equation used to check the transmissivity of wells where the specific capacity is known (Driscoll, 1986; Appendix 16.D):

$$\text{Transmissivity} = \text{Specific capacity} \times 2000$$

Given the observed specific capacity of 3.3 gpm/foot of drawdown, the expected transmissivity is 6,600 gallons per day/ft. West Yost recommends that the County of Sonoma request clarification of this apparent discrepancy

2. The drawdown observed in an observation well during the 24-hour pump test is greater than the drawdown predicted by the well interference analysis. In Section 6.3.6, Dudek reports that, at the conclusion of the 24-hour pump test, a drawdown of 0.5 feet was observed in K-2, a well 1,577 feet west of the Belden Well (A-1). Yet, in section 7.2, Dudek's well interference analysis only predicts a drawdown of 0.12 feet in K-2 after one month of continuous pumping from the Belden Well. According to the analysis presented, it would take nearly five years of continuous pumping from the Belden Well for the drawdown in K-2 to equal the actual drawdown observe after 24-hours of actual pumping. West Yost recommends that that the County of Sonoma request an evaluation of the difference between the observed and predicted effects on the neighboring wells.

In conclusion, West Yost's impression is that two likely eventualities have not been addressed: installation of a higher capacity pump in the existing well, and the use of groundwater for irrigation. Further, the calculated transmissivity appears to be high and the well interference analysis does not agree with the observed effect of pumping on neighboring wells. Unless the potential increases in groundwater production and groundwater use are assessed, and until the technical discrepancies have been resolved, West Yost believes that the County of Sonoma should consider the impacts to groundwater supplies and the interference with nearby wells as potentially significant impacts.



July 27, 2016

Melinda Grosch
County of Sonoma Permit & Resource Management Department
2550 Ventura Avenue
Santa Rosa, California 95403

Re: Belden Barns Winery and Creamery Project
Comments on DEIR

INTRODUCTION

I am an on-site wastewater reuse expert with a specialty in drip irrigation systems. I have been active in legalizing the reuse of wastewater for irrigation for over 26 years and have worked closely with the California Department of Public Health and other regulatory agencies on many pieces of wastewater reuse legislation and the subsequent rules. I provide my comments to help you better understand the deficiencies in the Belden Barns DEIR.

Rather than Belden Barns providing the information needed to make an informed decision about their project, the proponents assume via this DEIR that everything will be ok if you just let them build something that hopefully takes care of their wastewater problems.

The lack of information about the proposed solution led to the complaint noted in the NOP about the "potential contamination of hydrological resources associated with the proposed project".

While on site wastewater disposal systems have come a long way since septic tanks and leach fields, one thing they all still have in common is they start with some known sort of wastewater, they provide appropriate treatment of that wastewater, and they assure safe disposal of that wastewater. Reading the DEIR, we are left not knowing what they are starting with, what is the appropriate treatment, and how that can be safely disposed of.

As a consequence, the DEIR can't possibly be adequately describing the environmental impacts of the proposed project, or whether the recommended mitigation measures should be modified and/or adopted. This begs the question of whether there are other mitigation measures or alternatives that should be considered for the proposed project besides those identified in the Draft EIR.

¹
Exhibit B

THE WASTEWATER

We are told the wastewater from this project will consist of two types of wastes identified as Sanitary Wastes (SW), and Process Wastes (PW).

First, this project's Sanitary Waste (SW), which is a misnomer at best, consists of unspecified chemicals, microbes, pathogens, and who knows what other constituents from a research lab, wastes from a wine tasting room, from conventional sewage from toilets and sinks for up to 200 people on occasion and traditional sewage from up to 12 full-time employees, and from a commercial kitchen.

Then there is the Process Waste (PW) that will come from the production of 10,000 pounds of cheese and 10,000 cases of wine annually.

In the first step of the cheese making process, approximately 88% of the milk is rejected as water. That rejected water is called condensate of whey (COW water), and contains lactose, some soluble protein, and salts (analyzed as ash). It is relatively free of chemical impurities but it does contain a lot of organic matter.

It has long been common for cheese manufacturers to fractionate and concentrate the protein and lactose from whey as co-products, removing these organics from the wastewater stream. Typically, this is done using a series of polymer membranes, but there is no mention of this extra step being taken at Belden Barns.

Therefore, we are left to assume the wastewater containing COW will have to be disposed of. Whey and the proteins are organic, they will rot and stink, and need to go somewhere. We are left to assume it is all going into their wastewater disposal system.

Left unaddressed in the DEIR is where the wash-down wastewater from their dairy would go. This is a significant omission; as such wastes can include the bacterium Salmonella, Campylobacter, Escherichia coli, Aeromonas hydrophila, Yersinia enterocolitica, Vibrio, Leptospira, and Listeria.

Most of these bacteria can survive and even multiply in environments outside of the animal such as livestock manure and soil rich in organics, like the soil right next to the milking shed on this project.

These bacteria can cause fever, diarrhea, vomiting, nausea, and abdominal pain in humans who are directly or indirectly exposed to contaminated manure, as they might be if the wastewater were not treated but allowed to run off directly onto the surface and into surface waters, or were improperly treated and allowed into the groundwater shared with their unsuspecting neighbors.

Such wastewater can also contain protozoa such as Giardia and Cryptosporidia, which have a list of deleterious effect on humans, as well as virus such as Rotavirus, which has been proven to live in manure for up to six months and can live in other organic places like rich farm soil. If ingested, rotavirus will cause multiple days of vomiting, fever, and abdominal pain in even healthy adults.

Altogether, the SW and the PW have a veritable Who's-Who list of pathogens that can and do make people sick quite often and some of those pathogens have killed people. The wastewater from this proposed project is not your garden variety.

Some of the PW will be put through some still unexplained and possibly inadequate treatment process and used for drip irrigation, with any remaining PW being mingled with the SW to become one wastewater stream that flows into a "filled land system", with a 200% expansion area, which is common terminology for a traditional leach field, as is typical for any rural house in Sonoma county.

But this isn't typical wastewater.

THE TREATMENT

The DEIR describes the wastewater treatment process in extremely vague terms, to put it kindly. To put it more accurately, the DEIR does not explain what the process will be. First it describes a pretreatment regime, but only for the PW: "PW would be pretreated through filters and settling/septic tanks".

Then it says what will happen with that water: "...and then disposed of in the filled-land standard leachfield system".

The DEIR then describes what happens next, as: "After a combination of anaerobic and aerobic treatment in the leach lines and adjacent trench soil, the treated wastewater would percolate through the soil for final polishing. Ultimately, the treated effluent would migrate into the groundwater minus the volume consumed via evapotranspiration."

In an affront to the County's legally mandated requirement to decide whether or not they have supplied enough information, they tell us "The proposed wastewater management systems would be adequate to treat and dispose of all projected SW and PW flows generated from the proposed project.

There is no way to take a look at the "systems" because there isn't a single picture or drawing or schematic of the systems or a single picture, drawing, or schematic of even one single component of those systems.

The DEIR does tell us that to accomplish that “pretreatment” and that final disposal into everyone’s groundwater, it will describe in another section the mechanical devices planned to be used:

1) A “rotary screen for solids filtration”. The DEIR does not say anything about what type of rotary screen they plan on using, or what types of solids the screen will filter out of the wastewater stream, is it filtering inorganic i.e. trash, or organic matter, or both, or how fine that screen will filter, or how that screen will be kept clean enough to keep filtering at their proposed but unstated level of filtration. There is no cut sheet or manufacturer’s data or a diagram or even a hand drawn sketch to explain this filter or its critical process.

2) “Septic/settling tanks”. Outlines of these tanks are shown on Figure 2-11, but other than telling us those tanks will sit on 12” concrete pads, nothing more is said about these tanks.

While the DEIR tells us the volumes of those tanks, it doesn’t tell us if that volume is sufficient to hold one day’s worth of “pretreated” wastewater or 30 days worth. Thus, we don’t know if those tanks provide sufficient storage during the rainy, post-harvest season when Belden Barn’s horticulture’s irrigation needs decrease by a factor of four in the winter and virtually all their wastewater will have to go into the leach fields, and will need storage while it leaches into the soil.

The DIER also does not tell us if that storage is sufficient to hold all the wastewater all the time that will have to be stored during the rainy season as the percolation rate from their organically impacted and aging leach fields decreases over time.

The DEIR insinuates that the soil in the vineyard that will be provided with drip irrigation will always be available for the disposal of wastewater, but that is not true. There are serious agricultural concerns, such as root rot, spore creation, other soil borne diseases, drowning the nematodes critical to vineyard health, and saturated soil becoming unworkable by machinery, that restricts the application of wastewater in excess of the vineyard’s horticultural needs.

3) “Aeration”. The DEIR shows the holding tanks, but there is no information about what is planned for aeration. Will it be for minutes, hours, days, weeks? The length of time of aeration, and the ratio of air to water during that process, makes a huge difference in the quality of the output water. What is the planned wastewater output quality? The DEIR does not say.

What is the existing and planned Chemical Oxygen Demand (COD)? There are published limits for COD, but how is the project going to get there? We don’t know by reading the DEIR.

What is the existing and planned Biological Oxygen Demand (BOD)? There are published limits for BOD, but how is the project going to get there? The DIER says

they will settle the wastewater, but for how long? The DEIR says they will aerate it, but with what, and for how long? We don't know any of this by reading the DEIR. What is the existing and planned Total Dissolved Solids (TDS) in that output? There are published limits for the on site disposal of wastewater TDS, but how is the project going to get there? What is in the residual TDS? A virus can be the same size as a cheese protein and it's all in the TDS category.

How will we know what is remaining in the wastewater if we don't know what it started with and how it is actually treated? We can't find out by reading the DEIR. TDS is an extremely relevant factor for drip irrigation, as high TDS can clog drip irrigation very quickly through a well-known process called "scaling".

Scaling is where the naturally occurring minerals in water and even more so in wastewater combine with the organics in wastewater to form a lining on the inside diameter of the pipes, valves, and drip tubing used to supply treated wastewater to the emitters that will pass that wastewater onto the soil. Over time, small "scales" flake off from that organic/mineral lining and travel downstream to the emitters, clogging them. Eventually, the entire drip system has to be replaced.

If they had considered scaling, they would have known what level of TDS is acceptable to prevent or at least manage it, and would have planned the wastewater treatment system accordingly. But there is no information about any of that anywhere to be found in their DEIR, indicating it was not considered.

4) A "separate commercial grade aerated textile pre-treatment unit." This separate unit is described in the document as the Advantex system made by Orenco. As with all packaged on-site wastewater treatment systems, the Advantex system only works with a known quality of wastewater. This is because they use layered textile baffles that need air to contact the matter accumulated on the baffles in order for aerobic digestion of that matter to take place. Because we don't know what will actually happen in the pre-treatment phase, and thus what quality of wastewater the Advantex system would be receiving, there is no way we can know if the Advantex system will have a chance of further cleaning the wastewater to a satisfactory level for this project or just clog up.

Belden Barns could install an Advantex system on inadequately pre-treated wastewater and it might work for a very short period of time, but it will absolutely clog up from either the excess organic or inorganic loads, or both, in that wastewater, rendering that system worthless. That clogging up could occur in weeks, or days, or literally in hours, depending on the source water quality. Yet by reading the DEIR, we have no way of knowing what that source wastewater quality will be.

5) They will have "an aboveground storage tank of the final wastewater." This statement might be referring to the wastewater that has been treated by the Advantex system, which may not be working. There is no drawing or other visual

aid to know what this refers to.

Further, as with the storage tanks for the SW that underwent some settling and aeration before being stored during the rainy season or for other reasons, we have no way of knowing if this storage of the "final wastewater" is sufficient to insure they won't be dumping excess "final" wastewater on the soil's surface during the rainy season.

6) Lastly, they plan to "ultimately (dispose) via drip irrigation to the existing vineyard on site." At least that appears to be what they plan to do with the PW. Does it include the SW at that point? It's not clear from reading their DEIR and there is no drawing or other visual aid to know the answer.

If it does include SW, does that SW include the dairy wash water the DEIR failed to mention?

What is really in the final water they intend to put on the soil's surface that will run off during a rain event and into the pond to mix with the surface water there for percolation into the groundwater? This unanswered question is a real problem because, as stated in the DEIR, it is its "observation that small rural ponds in the vicinity fill up quickly following intense or sustained rainfall".

We don't have an answer by reading the DEIR.

THE DISPOSAL

The final wastewater needs what they refer to as "polishing", which is more commonly referred to as "further treatment." The term "polishing" sounds like the wastewater is almost pristine before it arrives, but we cannot know because the DEIR has not told us what quality of water is started with, how that wastewater will actually be treated, and what quality it is by the time it gets to the "polishing" phase.

One thing we know for sure by reading the DEIR is that they are relying on the soil to accomplish that necessary "polishing".

Almost all soil consists of an upper layer containing a lot of organics mixed with mineral fragments. That layer is aerobically active due to existing soil bacteria that breaks down some of the organics Belden Barns will be introducing for disposal. This is the zone of soil they infer will do all that "polishing."

How fast such soil clogs, and thus becomes incapable of providing further treatment, is entirely dependent on how much organic matter remains in the applied wastewater, and the DEIR does not disclose this.

According to Appendix E, Geologic Investigation, that upper layer of active soil is only about 2' thick and is underlain with a thick layer of clay, labeled "plastic" or impermeable in some areas.

Any wastewater that isn't taken up by the roots of the crops and released into the atmosphere via evapo-transpiration (ET) must go downwards per gravity.

That layer of clay will cause any wastewater that wasn't taken up via ET and is percolating downward to divert it's downward course and travel up towards the surface via capillary rise, and perhaps to run-off down the hill to the pond below, or laterally.

For wastewater that travels in the soil laterally, it is traveling down the hill to the random patches of more permeable soil mentioned in Appendix E.

Those more permeable patches of soil are lower in elevation, thus closer to the groundwater, and they act as conduits to the groundwater. Some of them are virtually at groundwater level, thus any wastewater entering them will receive no "polishing" effect whatsoever.

Normally in an application such as Belden Barns', we would see a soil report that contained actual soil borings and logs, and a Percolation Report showing actual percolation rates in the actual soil to receive the wastewater. Such data is not available in this DEIR. Rather, this DEIR references a lot of information from US Geological Survey reports and other general soils information.

That missing data would help explain how much wastewater could be applied in any given sized area each day, in a gallon-per-square foot ratio, but even that data would not tell us how much wastewater was hitting the clay and running downhill, thus how much wastewater and its remaining deleterious matter could come into contact with the groundwater.

Appendix E explains that there are "vertical fractures" in the soil that this wastewater will be traveling through. One fracture measured 9', and there is far more soil that was never viewed. There are likely more fractures, and there could be hundreds of such fractures. Fractures in soil act like pipelines to the groundwater, insuring that no further treatment occurs.

It is important to recall that the life expectancy of some of the previously mentioned known pathogens in this type of wastewater is extended by months from introduction into an organic environment, like a slow percolating leach field full of decomposing whey, and especially over the years to come as the soil becomes more impacted. While it may take weeks for the wastewater to seep downhill, some of the pathogens traveling in that wastewater are still very much alive in that short time.

Adsorption to soil particles does capture tiny wastewater solids, including pathogens, but we have no way of knowing how many solids will need to be captured because we don't know how many are being introduced to the soil.

Further, the more the leach field becomes impacted over time from relentless exposure to these tiny solids, the farther those live pathogens will travel downhill towards permeable soil or fissures that allow them into the water table, or just into the water table by straight percolation.

Once in the groundwater, any live pathogen is capable of making people sick or worse. Over time, seeping wastewater devoid of pathogens but full of rotten, stinky whey emulsion will be enough to make people have to abandon their well.

That groundwater is shared by many other wells. Those wells are used by numerous families for their culinary water and for their livestock.

Those families legally deserve to have their water protected and the DEIR does not tell you how that water will be protected. On the contrary, the DEIR tells you that the water will not be protected.

The DEIR needs to disclose the source water quality, the exact type of treatment and how it will be maintained so that it continues to function properly, and the science that proves the discharge will be safe now and in the future.



Stephen Wm. Bilson



490 POST STREET • SUITE 1427
 SAN FRANCISCO • CA • 94102 • USA
 TEL / FAX: (+1) 415-693-0424 / 1398
<http://www.va-consult.com>

MEMORANDUM

PAGE 1 OF 4

DATE: 1 August 2016
TO: Rose Zoia, Law Offices of Rose M. Zoia **EMAIL:** rzoia@sbcglobal.net
FROM: Alana DeLoach, VACC **EMAIL:** alana@va-consult.com
SUBJECT: Belden Barns Winery – DEIR Acoustical Peer Review (01388)

Dear Rose,

We have completed our acoustical peer review of the May 2016 Noise Assessment Technical Report (TR) prepared for the Belden Barns Farmstead and Winery DEIR, dated June 2016. The project is located at 5561 Sonoma Mountain Road, Santa Rosa, in unincorporated Sonoma County. Our findings are summarized in the following comments.

COMMENTS

Summary

Our review shows that there are key methodological deficiencies in the TR. These are summarized below with detailed comments following for each impact analysis.

- Completely missing from the analyses are assessments of calculated noise in comparison to the existing ambient conditions, which is required per Impact Thresholds 3 and 4 (see Section 3).
- The traffic noise modeling appears to be in strong disagreement with actual measured noise levels, at least at ST-1/R4.
- Mechanical equipment noise assessment does not include all equipment and assumes a 5-foot tall barrier wall will block line-of-sight without corroborating documentation.
- Noise impacts were not assessed at outdoor use areas, such as North Sonoma Mountain Park.

Section 2 Existing Conditions

This section and Table 3 summarize the noise data on a daily basis (average daytime L_{EQ} , L_{DN} , daytime L-stats, etc.), which is inconsistent with the Sonoma County Noise Element Table NE-2. Per NE-2, noise data are to be assessed against the limits on an *hourly* basis (note the term “in any hour”) and not on a *daily* basis. This is an important distinction to make as noise levels vary throughout the day and evening hours.

Additionally, LT-1 would be considered the most critical measurement location, given its proximity to the closest residential receptors. And yet, there were no L-stats recorded for this location. Since compliance with the Noise Element is determined using L-stats, this represents a critical lack of information.

Exhibit C

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Section 2.1 Transportation Noise

Table 5 should more clearly establish that these are *modeled* traffic noise levels and not *actual measured* data. We note that the modeled L_{DN} at Receiver R4 is 43 dBA; however, the actual measured daytime noise level at short-term measurement location ST-1 is 59 dBA. As the given purpose of the short-term measurements was to calibrate the traffic noise model, what is the reason for this large disagreement between modeled and actual noise levels?

Additionally, it was stated that long-term measurement location LT-1 was dominated by traffic noise and not existing winery noise. If that is the case, why was traffic noise not modeled here?

Section 4.1.1 Impact Analysis

There is no discussion of Receivers R9 and R10, yet the section claims “Traffic noise impacts would be less than significant.” For Tables 7 and 8, it is unclear in the documentation how the Existing and Cumulative categories differ, considering both of them add project traffic noise components.

Section 4.2.1 Impact Analysis – Mechanical Equipment and On-Site Vehicle Noise

The section states that “based upon product noise emission levels provided by the applicant for the loudest piece of equipment...”, yet no noise data for the equipment are provided in Appendix C. If there are no vendor data sheets for the equipment and estimates were used instead, then the parameters and calculations used to generate the estimates (HP, cooling capacity, etc.) should be provided. Also, only a noise level for the chiller is assessed; we would certainly expect the cumulative summation of all outdoor equipment to be calculated at the receptors.

The section claims that a 5-foot tall noise barrier wall will block the line-of-sight to receptors, achieving a 5 dBA reduction. However, no information on the equipment height or elevation changes between the source and receptor are provided to verify this claim. Given the description of “large commercial chiller”, the equipment could easily be 5-feet tall. In viewing the site using Google Earth, it would appear that the residential receptors to the north could be at a higher elevation than the equipment yard, requiring a much higher noise barrier wall than 5-feet.

Completely missing from the analysis is assessment of calculated noise in comparison to the existing ambient conditions, which is required per Impact Threshold 3. Furthermore, if the chiller or other mechanical equipment exhibit prominent tones in their sound power spectrum, the noise element applies more stringent criteria: reducing the hourly noise limits by 5 dBA.

Section 4.2.1 Impact Analysis – Special Event Noise

Completely missing from the analysis is assessment of calculated noise in comparison to the existing ambient conditions, which is required per Impact Thresholds 3 and 4.

Additionally, we do not find any basis or evidence for the following assumption:

“...it is highly unlikely that the raised male voices at an event as proposed for this project would be sustained for 30 minutes or more during any one-hour period. Additionally, a typical event would have some combination of male and female guests, and the noise levels would be lower for this reason as well.”

At convivial events, it is entirely possible that a live music performance may not garner captive attention from attendees eating, drinking, and socializing. Thus, raised voices should be anticipated. Additionally, the section claims that “a typical event would have some combination of male and female guests, and the noise levels would be lower for this reason as well” is not true.

VIBRO-ACOUSTIC CONSULTANTS • 490 POST STREET, SUITE 1427 • SAN FRANCISCO, CA • 94102 • USA
PHONE: (+1) 415-693-0424 • FAX: (+1) 415-693-1398 • INTERNET: <http://www.va-consult.com>

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Although the female voice tends towards a higher frequency spectrum than that of a male voice, it is entirely possible that a group of females laughing loudly could result in a higher overall sound power level than a group of males speaking in a causal or normal voice.

Furthermore, an alternate type of un-amplified musical quartet, i.e. a jazz band with a drum set, may generate a higher sound power level than the string quartet example provided in the report. Again, as the appendices of the report do not explicitly define all assumptions made and calculation methods employed, more information is needed to assess their resulting noise level for R5.

Although the 2020 Sonoma County General Plan Noise Element presents no metrics to quantify “intrusive or disturbing” noise, we find no basis for the assertion that “...these noise levels, although they may be audible at nearby residences in light of the relatively low ambient noise levels, are unlikely to be of a level typically considered intrusive or disturbing.” Again, without assessment of calculated noise in comparison to the existing ambient conditions (required per Impact Thresholds 3 and 4), this claim is a very subjective conjecture.

Section 4.2.1 Impact Analysis – Parking Lot Noise

Completely missing from the analysis is assessment of calculated noise in comparison to the existing ambient conditions, which is required per Impact Thresholds 3 and 4 (see Section 3). For example, the calculated combined noise levels at Receiver R2 exceed the existing ambient condition by 7+ dBA (see Table 12 and Appendix A). This would typically be considered a significant impact.

Section 4.3.1 Impact Analysis – Construction Noise

This section has a number of methodological deficiencies:

- The calculations summarized in Table 14, and shown in Appendix D, use quieter equipment noise levels than are shown in Table 13. No discussion is provided to justify these changes.
- The section states that “Although noise levels would likely not interfere with speech”, no explanation or basis for comparison is given for this determination.
- As with the other impact analyses, this section does not assess construction noise in comparison to the existing ambient condition, as required by Impact Threshold #4. Construction noise levels would exceed the ambient by ~10 dBA at Receiver R5 and by ~20 dBA at Receiver R2; these would be considered significant impacts.
- There is no evaluation of construction traffic, such as haul trucks. We would expect significant truck traffic during Demolition, Site Preparation, and Grading phases.
- Construction noise is calculated at the residential structures and not at the residential property lines.

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CONCLUSION

When the above deficiencies are addressed, particularly the lack of comparison between the calculated project noise levels and existing ambient conditions, there is reasonable evidence that the proposed project will create significant noise impacts at Receivers R2 during Special Events, and at R2 and R5 during construction activities.

. . .

Please feel free to call if you have any questions; we may be reached in our San Francisco office by telephone at (+1) 415-693-0424 or via email at alana@va-consult.com.

Sincerely,



Alana DeLoach

Vibro-Acoustic Consultants

VIBRO-ACOUSTIC CONSULTANTS • 490 POST STREET, SUITE 1427 • SAN FRANCISCO, CA • 94102 • USA
PHONE: (+1) 415-693-0424 • FAX: (+1) 415-693-1398 • INTERNET: <http://www.va-consult.com>

PHA Transportation Consultants

2711 Stuart Street Berkeley CA 94705
Phone (510) 848-9233
Web www.pangho.com



July 27, 2016

Rose Zoia, Attorney
50 Old Courthouse Sq., Ste. 401
Santa Rosa CA 95404
Via email: rzoia@sbcglobal.net

Re: Peer Review – Belden Winery/Creamery Traffic study

Dear Ms. Zoia:

In response to your request, PHA Transportation Consultants has conducted a peer review of the traffic study prepared by TJKM Transportation Consultants (May 31, 2016) for the above-referenced winery and creamery project. The purpose of this review is to evaluate whether or not the traffic study has adequately identified the potential traffic impacts of the proposed project, and has provided reasonable and feasible mitigation to minimize project impacts.

Our review indicated that the study generally follows the standard procedures and methodologies in evaluating the project traffic impact, but there are also a number of areas in the report that are not clear, underestimate trips, and need clarification and/or revision. For significant impacts, the report also failed to provide adequate mitigation to minimize project impacts.

Most importantly, the traffic report failed to adequately address the traffic safety issues on Sonoma Mountain Road, which is a major concern in the area. Sonoma Mountain Road is narrow with no shoulders. The section east of the site toward Warm Spring Road has many sharp curves, both vertical and horizontal with extremely limited sight distance. Some sections of the road have poor pavement surface and with only one 10-foot wide traffic lane to accommodate travel both directions. This will present a major traffic safety issue for visitors and guests at wine tastings, weddings, and other special events at the project site, especially after consuming alcohol and others using the road including pedestrians, bicyclists, and emergency vehicles.

Our review comments are organized in three parts. Part I focuses on the study's scope, methodology, and assumptions. Part II reviews other potential traffic impacts that are missing from the study. Part III discusses the adequacy of mitigation. Our comments and recommendations are as follows:

1

Exhibit D

Part I: Scope, Assumptions, and Methodology Issues**1. Key study scenario missing:**

While the traffic study evaluated traffic for existing conditions and 2040 long-term conditions, it failed to evaluate and discuss recent development projects in the area that already have received approval but not yet built and/or recently proposed projects that may add traffic to the study area. The 2040 long-term traffic conditions were based on projections from a regional traffic model that was made a number of years ago and its traffic projections may not have captured recent zoning change requests and general plan amendments for new developments in the area.

Recommendation:

Evaluate a short-term traffic scenario and discuss if there are recently approved or proposed projects that would add traffic in the area. If there are recent approved or proposed development projects in the area, they should be added and evaluated in the traffic study as a short-term cumulative impact. Update projections for the 2040 long-term traffic conditions.

2. Project (site) trip generation and rates:

Table 6, page 20, of the report, shows employee trip rate of 3 trips per day, which is somewhat strange. Employees coming to work from off-site locations generally would generate either 2 daily trips (one inbound trip and one outbound trip), assuming they stay on the site all day, or 4 trips assuming they go out for lunch. For visitor trips, the report assumes a 0.8 trip per visitor or a 2.5 vehicle occupancy rate per vehicle. Generally, visitors to winery or wine tasting are couples. Using the 2.5 vehicle occupancy rate under-estimates the potential vehicle trips to and from the project site.

Recommendation:

Discuss why each employee generates 3 trips daily instead 2 or 4 trips and how the 2.5 vehicle occupancy rate is determined. Re-evaluate traffic impact based on a 2.0 vehicle occupancy rate for visitors to assume a more conservative approach.

3. Peak-hour trip generation analysis:

Page 21 of the traffic report, 3rd paragraph ...*"The proposed project is expected to have approximately 60 visitors per day during the harvest season. The visitors are expected to generate 19 vehicle trips during the a.m. peak hour and 31 vehicle trips during p.m. peak-hour, and 34 vehicle trips during weekend peak-hour."* This statement is confusing and does not add up. Assuming 2 persons per vehicle, 60 daily visitors would generate 60 daily vehicle trips (30 inbound vehicles and 30 outbound). However, the peak-hours vehicle trips are 19 and 31 for a.m. and p.m. peak respectively. By the same assumption, this should translate into 10 and 15

vehicles or 20 and 30 visitors for a.m. and p.m. peak-hour respectively. Why would the majority of visitors visit the site during the peak-hour? This would make more sense if these are employee trips and not visitor trips.

Recommendation:

Discuss and clarify why 50 out of 60 daily visitors are assumed to visit the site during the peak-hours and revise assumptions and analysis as needed.

4. Special event (trip) generation assumptions:

Table 7, page 22 of the traffic report shows 80 inbound trips (based on 200 visitors with an occupancy ratio of 2.5 persons per vehicle) for the special event weekend but there are no visitor outbound trips. It should be 80 inbound trips and 80 outbound trips for a total of 160 vehicle trips for visitors on a daily basis, instead of 80 trips. Also, there likely are added employees (food and wine servers) for special events with 200 visitors. The trip generation analysis does not show any trips for the additional employees for special events.

Recommendations:

Discuss why there are no visitor outbound trips for special events days and whether or not additional employees (food and wine servers) are needed for special events. If this is an omission, re-evaluate traffic analysis with the added employee and visitor trips.

5. Truck traffic (trip) generation assumptions:

The study indicated that the project will generate delivery truck traffic during harvest time, construction period, and also during normal daily operation. It is not clear in the report what type of trucks will be used during construction, daily operation, or harvest time. If these are trucks are having more than two axles, they should be converted to passenger equivalent (PCE) in the analysis. Trucks are heavier and more difficult to maneuver especially on narrow and winding roads such as Sonoma Mountain Road with sharp curves and limited sight lines.

Recommendations:

Discuss the types of trucks to be used during harvest time and normal daily operation. Re-evaluate traffic by converting trucks to PCE. Discuss in the report whether or not trucks can maneuver on Sonoma Mountain Road, particularly the segment east of the project site which is extremely narrow and has many horizontal and vertical curves. Evaluate the potential safety issues associated with trucks using Sonoma Mountain Road.

6. Directional traffic (trip) distribution assumptions:

Figure 8 a, b, c, and d show daily traffic volumes for Sonoma Mountain Road to the west (Pressley Road) and east (Warm Spring Road) of the site, indicating existing and 2040 traffic volumes are higher to the east than to the west. However, the traffic study assumes 75% of the site traffic travels to and from the west and 25% travels to and from the east, which is not consistent with the current traffic patterns or future projections, while the traffic study indicated the directional distribution of the site is estimated based on existing traffic circulation patterns.

Recommendations:

Discuss and substantiate the assumption for using 75% west and 25% east site traffic distribution and revise assumptions and analyses in the study as needed.

7. Traffic counts:

The traffic report indicated that peak-hour traffic counts were collected in December and February and not during harvest months when traffic in the area peaks. This underestimates existing traffic conditions and affects the subsequent traffic analyses unduly in favor of the project.

Recommendation:

Evaluate and discuss the difference in traffic volumes/patterns collected during typical months for this study versus those collected from harvest months or when special events were held at nearby wineries. Revise the analysis if the traffic volume differences are significant.

8. Parking:

The project provides 80 parking spaces on the site to accommodate an expected maximum of 200 guests/visitors during special events, based on a vehicle occupancy ratio of 2.5 per vehicle. What if the number of guests/visitors reaches over the anticipated 200? Or what if the ratio of vehicle occupancy is below the estimated 2.5? The site provides 16 parking spaces for employees and residents at the site. Are there additional employees needed for special events? Assuming there are more than 200 guests/visitors plus additional employees, how will their parking needs be accommodated since Sonoma Mountain Road is narrow with no shoulder and cannot accommodate parking on the street?

There are "No Parking" signs from a few hundred feet east of the South Fork Matanzas crossing continuing to Sonoma Ridge Road (at about the Belden's west property line) then (continuing east) the No Parking signs start again at the east edge of the Belden's driveway (Johnstone Road) and then continue to the eastern edge of Cooper's Grove.

Recommendation:

Identify and delineate part of the site to accommodate overflow parking in case more than 200 visitors/guests visit the site at special events and additional employees are needed to work on those special event days.

Part II: Other Potential Impacts

1. Special events traffic:

The traffic report indicated traffic counts for the existing conditions represent typical day traffic. There are several vineyards and a handful of /wineries in the area, if they hold special events on the same day, traffic could be a problem.

Recommendation:

Discuss the potential for special events being held on the same days at other wineries and identify and evaluate the extent of traffic impact in the area on those occasions.

2. Alcohol consumption:

Wine tasting, weddings, and any other special events held at the site serving alcohol could create a potential traffic safety problem on Sonoma Mountain Road, particularly, but not only, on the section to the east of the project site. Sections of the eastern segment are extremely narrow, portion of it has only one 10 to 12 feet wide travel lane for travel in both directions, coupled with mature trees on both sides of the road, can present a real challenge to most motorists, especially for visitors and guests after consuming alcohol and are not familiar with the road condition. Portions of the western stretch of the road are often in disrepair and narrowed to one lane by the placement of traffic cones. The traffic report indicated that special events would end at 9:30 p.m. This means guests leaving the premise after events would be driving in darkness on a narrow and winding road.

Recommendation:

Evaluate and discuss the potential for traffic collision for guests driving in darkness on an unfamiliar and substandard road after consuming alcohol. The Draft Environmental Impact Report (DEIR) studied an alternative for wine tasting at an off-site location. This would help reduce the potential for traffic collisions and should be considered.

3. Impact on pedestrians and bicyclists:

The traffic report indicates the project would have no impact on pedestrian and bicycle facilities in the area. This is true since there are no pedestrian sidewalks or bike lanes (facilities) on Sonoma Mountain Road. However, a fieldvisit to the area on a Saturday morning (July 2, 2016) indicates pedestrian and bicyclist activities in the area. The added project traffic, particularly on special event days, would negatively affect pedestrian and bicyclist activities as Sonoma Mountain Road is

narrow with no shoulders. There are no pedestrian and bicyclist warning sign on Sonoma Road.

Recommendation:

Evaluate and discuss the project impacts on pedestrians and bicyclists on Sonoma Mountain Road. Discuss the potential of other mitigation to minimize conflict among motorists, pedestrians, and bicyclists.

4. 6 percent traffic increase on Sonoma Mountain Road:

Page 2 of the traffic report under “Executive Summary” indicates the project will increase traffic volume by 6% on Sonoma Mountain Road but concluded that is not significant. It’s true that a 6% increase in traffic is not expected to create any level of congestion due to the low base traffic volume. However, for a local low-volume road such as Sonoma Mountain Road, a 6% increase would be quite noticeable and should be considered significant.

Recommendation:

Discuss why 6% increase is not significant for a local road such as Sonoma Mountain Road.

Part III: Mitigation Issues

1. Site access driveway sight distance:

The report indicated that the access driveway has insufficient sight distance and recommends clearing vegetation to provide a sight line about 300 feet in both directions. This may or may not work as there are mature trees on both sides of the current driveway along with utility poles. Removing mature trees may need County approval and would likely change the environmental character of the street.

Recommendations:

Re-evaluate and discuss the feasibility and other available options to provide sufficient sight line for the site access driveway. Also, the sight distance standards from the AASHTO (American Association of State Highway and Transportation Officials) are more liberal as they represent national standards. Consider using Caltrans design standard for the sight distance evaluation in this case.

2. Direct guests/visitors to approach the site from west (via Pressley Road)

The traffic report recognizes the eastern section of Sonoma Mountain Road is narrow and difficult to maneuver and suggest the project applicants should advise guests and visitor to approach the site from the west. This may, or may not, work for those visiting the site from the Peninsula Area, San Francisco, and Marin County.

Those coming from Contra Costa County such as from cities of Concord, Walnut Creek Area would most likely come via the east approach of Sonoma Mountain Road through the City of Napa and Glen Ellen. For wine tasting, people generally will visit more than just one winery. Visitors to the proposed project site would likely first stop by wineries in Napa or Glen Ellen, then continue through to the proposed winery. This means these visitors would have no choice but to use east Sonoma Mountain Road to approach the proposed project site.

Recommendations:

Discuss plans and strategies how to direct guests/visitors traffic to avoid using the eastern section of Sonoma Mountain Road. There likely are not any effective methods to do so, so this impact (increased traffic on the eastern portion of Sonoma Mountain Road creating a safety issue) would remain significant.

3. TJKM traffic study recommended mitigation:

The report recommended installing pedestrian and bicyclists warning signs, clearing vegetation to provide adequate sight line, and pave driveway apron to prevent gravel being dragged on the road to avoid adversely affecting bicyclists. However, none of the recommended mitigation measures were included in the mitigation section of the DEIR (Draft Environmental Impact Report).

Recommendations:

Include all TJKM report recommended mitigation in the DEIR; conduct additional analyses or revision as needed to evaluate items that were identified and discussed above.

In our professional opinion, while there are a number of areas in the TJKM traffic report may need to be re-evaluated, our biggest concern with the project is traffic safety on Sonoma Mountain Road, particularly the eastern section but also on the western section. The many sharp curves with extremely limited sight lines, narrow pavement with no shoulders for motorist avoid on-coming traffic, would present a major challenge to special event guests and visitors, particularly after consuming alcohol. The County and the project proponent need to identify strategies to resolve this issue ahead of time, or the impacts remain significant. I have included a link here with a short video taking while I test drove Sonoma Mountain Road on a Saturday morning during the July 4 weekend, showing a close encounter with a fast moving oncoming vehicle along the east segment of Sonoma Mountain Road. The encounter was more dramatic in person, but this demonstrates the point.

Please feel free to contact me if you have any questions about our review.

Thank you,

Sincerely



Pang Ho AICP
Principal

Link to Sonoma Mountain Road test drives video

<https://youtu.be/H4YUgh-vXJo>

The video is about 4-minute long, reduced from the original 40-minute long video. The close encounter occurred after the 3rd minute mark or there about.

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Letter Q

Rose M. Zoia
Law Office of Rose M. Zoia
August 1, 2016

Introduction

The commenter, Rose M. Zoia, submitted a letter that contains a number of exhibits that address groundwater, wastewater, noise, and traffic (Exhibits A through D). All substantive concerns raised in these exhibits are addressed in the Master Responses GWA-1, WW-1, NOI-1, and TRAFF-1. The reader is referred to these Master Responses for more detailed responses to the comments raised.

Q-1 The comment summarizes information from the project description about the proposed project and states that is unclear if the appointment designation applies to both wine and cheese tasting.

On page 2-4 the Draft EIR states that the tasting room would be the primary hospitality space for all products produced onsite, which includes wine, cheese, and farmstead products. Access to the tasting room would be by-appointment-only, while the sale of cheese and farmstead products would be open to the public without appointment from 11 a.m. to 5 p.m. daily. See also Response to Comment A-3 which spells out the hours of operation.

Q-2 The comment states that the project would include eight agricultural promotional events per year, including one or more weddings, with up to 200 participants and no amplified music. This comment states that it is unclear whether other amplified sound is requested.

On page 2-5 of the Draft EIR in Table 2-1 there is a list of the eight proposed agricultural promotion events. The commenter is correct that eight agricultural promotional events would be held onsite per year and end by 9:30 with cleanup being completed by 10:00 p.m. Table 2-1 gives each event, the time period and maximum number of participants. According to this table the largest event (Fall Wine and Farm Event) would have a maximum of 200 people. A maximum of one wedding could occur on the project site between June and October with a maximum of 125 participants. No outdoor amplified music or sound would be allowed at any event. However, to clarify that there would be no amplified sound of any kind on the project site, the text on page 2-5 of the project description has been modified as stated in Master Response NOI-1.

- Q-3** The comment asserts that the Groundwater Resources Technical Report (Draft EIR Appendix F) fails to assess two scenarios (installation of a higher capacity pump and the use of groundwater for irrigation) that could result in potentially significant impacts and understates the potential interference with neighboring wells. Please refer to Master Response GWA-1 for information regarding the Groundwater Resources Technical Report prepared for the proposed project.
- Q-4** The comment claims that the groundwater technical report does not consider the impacts of using groundwater for irrigation and contains discrepancies related to transmissivity and drawdown effects on neighboring wells. This comment also expresses the opinion that until technical discrepancies have been resolved the impact to groundwater supplies and interference with nearby wells should be considered potentially significant. Please refer to Master Response GWA-1 for information pertaining to groundwater concerns.
- Q-5** The comment suggests that the second to last bullet point on page 3.7-32 of the Draft EIR be changed to read "...at the pump's maximum capacity of 23 gmp." The County agrees and thus makes the following change to the last bullet on page 3.7-32:
- "The project well was drawn down 6.7 feet during the 24-hour pump test (at the well pump's maximum capacity of 23 GPM) and recovered to 100% of its original level within 5 minutes of ending the test."
- Q-6** The comment asserts that there is not enough information about the nature of wastewater treatment to know whether disposal would cause significant impacts. This comment also expresses concern that bacteria present in sanitary waste and the organic matter present in process waste could cause significant impacts. Both the process and sanitary wastewater pre-treatment processes include screening, settling, filtering, and aerobic and anaerobic digestion before being discharged to the filled land system. Please refer to Master Response WW-1 for a more detailed response to these issues.
- Q-7** The comment claims that the wastewater treatment process is not explained adequately to support the conclusion that the system would be adequate to treat and dispose of all projected sanitary and process water flows generated by the project. Please refer to Master Response WW-1 for a response to these issues.
- Q-8** The comment alleges that the Draft EIR does not provide a sufficient description of the wastewater systems. Please refer to Master Response WW-1 for a more detailed response to this issue.

- Q-9** The comment suggests that there is inadequate information about the nature and characteristics of soils to support the conclusion that using soils to further treat wastewater would be effective and whether this would cause pollutants to enter the groundwater. Please refer to Master Response WW-1 for a more detailed response to these concerns.
- Q-10** The comment asserts that the Initial Study did not analyze consistency with the Bennett Valley Area Plan. Please refer to Master Response LU-1 for information pertaining to the project's consistency with the Bennett Valley Area Plan.
- Q-11** The comment asserts that the Draft EIR only analyzes the Bennett Valley Area Plan in terms of visual standards and does not address the introduction of commercial uses. This comment also lists two goals of the Bennett Valley Area Plan. Please refer to Master Response LU-1 for information pertaining to the project's consistency with the Bennett Valley Area Plan.
- Q-12** The comment lists four noise concerns asserting that the noise report did not assess the calculated noise in comparison to existing ambient conditions; traffic noise modeling is not consistent with actual noise measurement levels; mechanical equipment noise modeling does not include all equipment; and noise impacts at outdoor areas were not assessed. Please refer to Master Response NOI-1 for information regarding the noise assessment prepared for the project and noise associated with project operation.
- Q-13** The comment asserts there is no evidence to support the claim that event noise will be insignificant and questions the noise assessment that evaluates a scenario where there are 200 men talking loudly. Please refer to Master Response NOI-1 for information regarding noise associated with project operation.
- Q-14** The comment asserts that the report [Draft EIR] does not explicitly define all assumptions made and calculation methods employed relative to noise generated by an unamplified musical quartet, and that more information is needed to assess the resulting noise level for the nearest residences. Please refer to Master Response NOI-1 for information regarding the noise associated with project operation.
- Q-15** The comment alleges that there is no basis for the conclusion that noise is unlikely to be at a level that is typically considered intrusive or disturbing. Please refer to Master Response NOI-1 for more detailed information.
- Q-16** The comment expresses the opinion that once project noise levels are compared to existing levels, there would be reasonable evidence to conclude that the project

- would result in a significant impact during special events and construction activities. Please refer to Master Response NOI-1 for more information.
- Q-17** The comment claims that noise and light impacts could be significant to wildlife using the wildlife corridor adjacent to the project site and that an assessment of noise levels at the North Sonoma Mountain Regional Park and Open Space Preserve is necessary.
- Impacts on wildlife species that are not considered special-status under CEQA are generally not considered significant unless impacts are associated with the species' migration routes or movements, or the species are considered locally important. In the region of the project site, common wildlife species (e.g., deer, skunk, raccoon, possum, fox, crows, buzzards) would not be considered special-status species; however, impacts on their movements and migration routes would be considered significant under CEQA. Impact BIO-4, on page 3.4-27 of the Draft EIR evaluates wildlife movement corridors and the project site is not identified as a regional wildlife corridor. The closest designated migratory wildlife corridor, Sonoma Creek, is located approximately 5 miles east of the project site (CDFW 2016). However, the project would not interfere with any wildlife movement if constructed. Impacts were found to be less than significant. A biological assessment was prepared by Kjeldsen Biological Consultants, with additional surveys conducted by Dudek. Copies of the biological reports are included in Appendix D of the Draft EIR. Please see also Responses to Comments I-4 and R-6.
- Q-18** The comment asserts that the traffic report failed to adequately address the traffic safety issues on Sonoma Mountain Road. Please refer to Master Response TRAFF-1 for information pertaining to safety concerns along Sonoma Mountain Road.
- Q-19** The comment identifies conclusions from PHA's report (included as Exhibit D of this letter). All of these concerns are addressed in Master Response TRAFF-1.
- Q-20** The comment lists a conclusion from the PHA report stating that clearing vegetation may or may not work to improve sight distance because there are mature trees on both sides of the driveway along with utility poles and removing them may change the character of the road. Please refer to Master Response TRAFF-1 for more information.
- Q-21** The comment lists a conclusion from the PHA report stating that it is likely the recommendation to suggest people approach the project site from the west would not be feasible since many people will be visiting more than just one winery and would likely stop first in Napa or Glen Ellen. Please refer to the Response to Comment C-13 which raised similar concerns about the feasibility of this recommendation.

- Q-22** The comment states the PHA report concern regarding traffic safety along Sonoma Mountain Road and the conclusion that this road is substandard, extremely dangerous and unfit for the uses proposed by the project. Please refer to Master Response TRAFF-1 for information pertaining to safety concerns along Sonoma Mountain Road.
- Q-23** The comment asserts the alternatives analysis in the Draft EIR is not adequate because the project objectives are unduly narrow. The commenter appears to be focusing primarily on the commenter's preference for an off-site alternative, and thus objecting to the applicant's objective of providing an on-site tasting and on-site direct-to-consumer sales. On the one hand, County staff are not in a position to second guess the applicant regarding business objectives, but would note that the applicant's business objectives are not suspect for being unusual in Sonoma County. On the other hand, the project objectives have been examined critically by the EIR consultant and by staff and the EIR does contain an analysis of a partial off-site alternative to inform the Board's policy decisions about the project. The Board does have discretion to limit the size of the project if it has neighborhood compatibility concerns and believes that certain parts of the project should be located elsewhere. CEQA does not compel this policy result.
- Q-24** The comment is questioning project objective no. 2, construct and operate a farmstead and winery capable of producing approximately 10,000 pounds of cheese and 10,000 cases of wine, using primarily products grown on site. The commenter states that the project is using agricultural products primarily grown off-site and questions if the project meets this objective. Overall, most of the agricultural products with the project would be grown on-site, although some of the material processed would come from off-site. The comment does not address any significant impacts or require any change to the Draft EIR, but will be considered by the Board in its decision whether and how to approve the proposal.
- Q-25** The comment addresses concerns related to the No Tasting Room Alternative, Off-Site Tasting Room Alternative, and the No Events Alternative. The comment specific to the No Tasting Room Alternative questions the amount of product that would be shipped off-site under this alternative and if there would be an increase in truck trips. The commenter alleges that the amount of product shipped off-site under the proposed project and the No Tasting Room Alternative is unknown and questions if trips would be lower under the No Tasting Room Alternative. The Draft EIR simply notes that if the farmstead products and wine produced on the site would not be available for tasting or for purchase on the site, except at promotional events, they would be trucked elsewhere for tasting and sale. The exact number of trips would

depend on business conditions. In any case, the Off-Site Tasting Room Alternative was selected as part of a settlement with Friends of Sonoma Mountain Road, and not because it facilitates the analysis of alternatives that avoid significant impacts. The project is not anticipated to have any significant impacts.

Q-26 The comment states that under the Off-Site Tasting Room Alternative operation of a tasting room would take place most likely in developed areas such as Santa Rosa or Rohnert Park whereas the commenter believes other less developed areas such as Glen Ellen or Kenwood should be analyzed and also questions why project objective no. 4 would not be met. It is speculative where an off-site tasting room would be located because the applicant has no plans for an off-site tasting room, but analyzing an off-site location in Glen Ellen or Kenwood would not address any significant impacts of the project. Santa Rosa and Rohnert Park were deemed likely areas solely because of the availability of compatible zoning for a free-standing tasting room.

Q-27 The comment suggests that the Draft EIR is not clear on how the No Events Alternative would reduce the ability to achieve objectives related to attracting and connecting customers to small-scale integrated, sustainable farming; and providing the opportunity for small-scale sustainable farmers and food artisans to operate on site and develop a demand for their products.

As detailed on page 5-15 of the Draft EIR, the No Events Alternative would eliminate the possibility for the eight agricultural promotional events to be held on the project site. Under the proposed project both of the objectives mentioned in this comment (objectives no. 3 and no. 6 on page 5-1) would be achieved through the combination of on-site tasting and agricultural promotional events. Eliminating agricultural promotional events under the No Events Alternative would reduce the ability of the project to achieve these objectives because it is eliminating one of the two ways those objectives would be achieved. However, as noted in the Draft EIR on page 5-15, since the project would still operate a tasting room onsite these objectives can be met, but to a lesser degree than the proposed project. In addition, the No Events Alternative was selected as part of a settlement with Friends of Sonoma Mountain Road, and not because it facilitates the analysis of alternatives that avoid significant impacts.

Q-28 The comment claims that the Draft EIR rejected a reduced cheese alternative on the basis that no significant impacts would occur as a result of cheese production alone; however the Draft EIR evaluated a No Tasting Room Alternative even though the Draft EIR concluded that no significant impacts would occur from the tasting room alone.

On pages 5-2 through 5-3 in Section 5.3, the Draft EIR discusses alternatives considered but rejected; one of these alternatives is the Reduced Cheese Production Alternative. The commenter correctly notes on page 5-3, the Draft EIR states "...however, as described in Chapter 3 of this EIR, no significant impacts would occur as a result of cheese production alone. Therefore, an alternative to reduce cheese production would not avoid or substantially lessen any significant impacts of the project." The No Tasting Room Alternative is described on pages 5-6 through 5-7 and would eliminate the construction of the hospitality building that would host the tasting room, commercial kitchen, demonstration room for use during events, restrooms and support spaces. Although the Draft EIR determined that project impacts from the hospitality building would be less than significant, eliminating the construction of the hospitality building would reduce impacts to aesthetics, air quality, geology and soils, greenhouse gas emissions, hydrology and water quality, noise and transportation and traffic (see Table 5-1 on page 5-18). Reducing the amount of cheese produced on the site would still require construction of the hospitality building and production facility and therefore no impacts associated with construction would be reduced.

Q-29 The comment states the Draft EIR conclusion that the environmentally superior alternative is the No Tasting Room Alternative although it seems like the Off-Site Tasting Room Alternative would reduce the same impacts. This comment also expresses the opinion that either way, contrary to the Draft EIR conclusions, the project will create significant impacts that have not and cannot be mitigated.

As shown in Table 5-1 on page 5-18, the No Tasting Room Alternative would result in reduced impacts to aesthetics, air quality, geology and soils, greenhouse gas emissions, hydrology and water quality, noise, and transportation and traffic. The Off-Site Tasting Room Alternative would only result in reduced impacts to aesthetics, geology and soils, and hydrology and water quality. A comparison of impacts of each alternative to the proposed project is provided in Section 5.4.2 (No Tasting Room Alternative) and 5.4.3 (Off-Site Tasting Room Alternative) of the Draft EIR. The Draft EIR concluded that the No Tasting Room Alternative would be the environmentally superior alternative because it would reduce more impacts than the Off-Site Tasting Room Alternative.

Q-30 The comment expresses an opinion that the Draft EIR is critically flawed and should be re-written and re-circulated. The commenter's opinion is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

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Comment Letter R

From: Tamara Boulton <tboulton@sonic.net>
Date: August 1, 2016 at 2:43:21 PM PDT
To: Susan Gorin <Susan.Gorin@sonoma-county.org>, <Shirlee.Zane@sonoma-county.org>, <David.Rabbitt@sonoma-county.org>, <Efren.Carrillo@sonoma-county.org>, <James.Gore@sonoma-county.org>
Subject: Belden Barns Draft EIR

Dear Supervisors Gorin, Zane, Rabbitt, Carrillo, and Gore,

I am writing today about the draft EIR for the Belden Barns proposal. As I mentioned in my quick comment during your hearing on July 19, I do have some concerns about the adequacy of part of the draft EIR.

1. Road a. Noise - it appears that no consideration was given to the varying impacts of the terrain on the level of noise along Pressley and both segments of Sonoma Mountain Road where there are significant steep inclines and sharp curves. These conditions exacerbate vehicle noise especially in rural areas where noise travels greatly. With a proposal that would include quite a few heavy trucks and untold number of additional vehicles, this is an important area that needs to be covered.

R-1

b. Roadside clearance and road construction - there are numerous areas where there is no roadside clearance on both roads, due to geology, which then impacts the safety of residents (and others) who travel these roadways and who would have to contend with oncoming traffic crossing over the center line (when present) with nowhere to go.

R-2

The basis on these roads, if my memory serves me correctly, was not created for heavy truck (or greatly increased auto traffic.) In fact, when we moved to Pressley Road in 1973 parts of the road were actually dirt. The edges of the asphalt have crumbled whenever vehicles have had to go to the edge creating another safety issue. It continues today.

R-3

2. Traffic - it appears from a comment at the July 19th hearing by the lead PRMD representative that the traffic study was based largely on the one done for the Negative Dec. That study was seriously flawed. Bases used then were AASHTO standards when the County uses a different standard for our designated minor roads and byways allowances (per a conversation with Mitch Simson, County Public Works) and the conclusions based upon those inaccuracies. Neither Pressley nor Sonoma Mountain Road have good geometrics!

R-4

Sensors/counters were not located in sufficient areas to truly measure the traffic impact. Nor was there study of impacts of increased auto, truck and motorcycle traffic on native wildlife and domestic pets.

I R-5
R-6

3. Lack of use of the text and intent of the Bennett Valley Area Plan which is the planning document for this area. Much more emphasis was placed upon General Plan policies and definitions to the detriment of the governing document that has preserved Bennett Valley for over 30 years. e.g. under Circulation (BVAP) "The character of the

R-7

road system is a vital component of rural character of BV. The character of the existing public road system shall be retained. Improvements should be made in the interest of safety. Development shall be sited with minimum impact on the view from the road. Intensity of land use shall reflect the conditions, character and capacity of roads.”
 Scenic Highways: “The scenic quality of all transportation routes within Bennett Valley is a vital component of the rural character, and shall be protected.”
 And yet a mitigation recommendation is to cut or clear swaths along each side of the entrance to Belden Barns essentially the length of a football field in each direction. That’s inconsistency and in conflict with the BVAP.
 Under Goals & Polices - Two major goals . . . “(1) to retain and enhance the rural character, and (2) to reflect the environmental and economic constraints, suitabilities and sensitivities of the study area in the determination of the location and intensity of development.
 B. Commercial development is not considered appropriate to the rural character of Bennett Valley.” Also “Unique scenic, visually and environmentally sensitive, and historic resources are important to the character of Bennett Valley and shall be protected.”
 Yes, reference was made to the Bennett Valley Area Plan on a couple of pages but when citing applicability the General Plan was cited. And it is noted in several areas in the BVAP that whenever there is a difference in what’s allowed, the more restrictive (BVAP or GP) shall apply. (And that usually would be the BVAP). Also, in one area of the report where this is mentioned to support using the General Plan to allow more flexibility, the supporting statement is lifted without the ensuing clarification language.
 4. Non winery related plans. There seems to be little emphasis on the other proposed plans for the parcel, namely the cheese manufacturing, etc. No in depth analysis or study is done to note that there are to be only token animals on site so that supplies for cheese making will need to be trucked in. Nor is there accounting for disposal of the cheese making remains which can be considerable and odorous. (Per a current Planning Commissioner’s comment) If trucked out, that needs to be included in the traffic study numbers.
 5. Commercial/industrial use would be descriptive since there is neither sufficient grapes nor livestock to provide for the proposed end product. Objective # 2 of the GP says that products shall be primarily grown onsite.
 Also, what about the addition by the Beldens of providing for sale “incidental items from local area.” Definition of local! This also seems to indicate a commercial, not agricultural application.
 When we were doing the General Plan Update in the early 2000’s, it was stressed that anything sold or provided on a “winery” site had to be incidental to the making of wines, therefore there should not be “events” such a weddings, dinners (therefore no need for a special chef) or sales in a gift shop unrelated to the wine itself. What happened????
 6. Biological & Environmental - I saw no reference to a concern expressed for years by Alan Buckman (now retired from Fish & Game) concerning the use of tall deer fencing therefore preventing the normal movement of wildlife across the land for their needs such a food and water i.e. perimeter fencing.



7. Location of such a proposal is better located in a communal retail situation or at least on a major roadway (not a minor road, not a scenic byway, etc.). As a prior owner of this property and a grape grower himself told me in a private conversation, this site is too isolated for such a proposal. (He was also a former Planning Commissioner.) This particular area of study (isolated location) was not covered in the EIR.

R-16

8. Esthetic viewpoints - only one of five view sites was from the roadway or local residents' properties. Yet, the stress in the BVAP is on views from the roadway and neighboring properties.

R-17

9. Regulatory framework-reference should include the policies in the BVAP not just the General Plan. Ditto the Visual Sensitivity. In the visual sensitivity section it doesn't reflect the BV Design Review criteria.

Scenic Corridor policies - what's quoted is less restrictive than BVAP. (OSRC.3c) BVDesign Review also speaks of mitigating the impact to the open space even for agricultural structures. (The location of Matanzas Creek Winery, for example, where buildings are set at the toe of the slope.)

R-18

10. There's more - I could go on but, frankly, I'm tired by now as I'm sure you are. It just seems that anything and everything can be "mitigated." But is that what we in Sonoma County want? To sacrifice the God given beauty, peace and quality of life here to more and more tourists and more and more \$\$\$ for individuals who come here to profit from "our loss."???? With all the mitigation requirements and conditions inherent in any such approval to make it "acceptable", where's the enforcement tool? Who's going to check on all these mitigating requirements. Let's face it - there really isn't any . . . the county Code Enforcement has been overworked and understaffed for year . . . and, unfortunately, that's not a secret. And we all suffer the consequences.

R-19

Thank you for your time, energy and consideration.
Tamara Boulton

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Letter R

Tamara Boulton

August 1, 2016

- R-1** The comment asserts that no consideration was given to the terrain and how it affects noise levels along Pressley and Sonoma Mountain Roads. Please see Master Response NOI-1, which provides more detail on noise issues associated with project operation.
- R-2** The comment states that there are numerous areas where there is no roadside clearance on Pressley or Sonoma Mountain Road due to geology, which impacts the safety of residents and others who travel this road. Please see Master Response TRAFF-1 which addresses the safety of Sonoma Mountain Road.
- R-3** The comment claims that these roads were not created for heavy trucks or greatly increased auto traffic. Please see Master Response TRAFF-1 which addresses the safety of Sonoma Mountain Road.
- R-4** The comment alleges that the traffic study was based largely on the one completed for the prior Mitigated Negative Declaration (MND) and was seriously flawed because they were based on AASHTO standards when the county uses different standards for designated minor roadways and byway allowances.

The traffic analysis prepared for the original MND used a Focused Traffic Study prepared by Whitlock & Weinberger Transportation Inc. (W-Trans) on August 19, 2013. A copy of the Focused Traffic Study is included in the Original IS/MND (see Draft EIR Appendix B). The Draft EIR used a new Traffic Impact Analysis (TIA) prepared for the project by TJKM on May 31, 2016. This TIA is included in Appendix H of the Draft EIR.

The Local Regulatory Setting on page 3.9-9 to 3.9-10 of the Draft EIR, provides County goals, objectives and policies from the *Sonoma County General Plan 2020 Circulation and Transit Element* that would be applicable to the proposed project. Objective CT 4.4 states "Utilize the American Association of State Highway Transportation Officials (AASHTO) functional classification system and guidelines for geometric design for the highway network." The Draft EIR's use of AASHTO standards throughout the analysis was done in compliance with the County's General Plan.

- R-5** The comment claims that sensors and counters were not located in sufficient areas to truly measure the traffic impact. Traffic counts and intersection turning movement

volumes were conducted at the three study intersections, listed on page 3.9-3 of the Draft EIR, during both a.m. and p.m. peak hours and during the weekend peak period on December 8-13, 2015 and February 3-13, 2016. These three intersections were evaluated in accordance with the standards set by the transportation impact criteria of the County of Sonoma and in accordance with the County staff. Additionally, 24-hour bidirectional traffic volume data was collected for a 7-day period during October/November 2015 along both directions of Sonoma Mountain Road and Pressley Road. The analysis of existing conditions was completed according to the methodology listed in the California Department of Transportation's 2010 *Highway Capacity Manual*, as described in Appendix H of the Draft EIR.

R-6 The comment states that a study was not prepared that addressed potential impacts to native wildlife and domestic pets. Section 3.4 of the Draft EIR, Biological Resources, evaluates the project's effect on native wildlife. A biological assessment was prepared by Kjeldsen Biological Consultants, with additional surveys conducted by Dudek. Copies of the biological reports are included in Appendix D of the Draft EIR. Based on a review of the biological reports, a total of five special-status (protected) species are considered to have a moderate to high potential to occur on the project site, including pallid bat, American badger and ferruginous hawk (see Table 3.4-2, p. 3.4-9). CEQA requires that projects analyze the potential impacts on special-status plant and animal species, as well as on sensitive habitats, wildlife corridors, and waters of the U.S. Impacts on wildlife species that are not considered special-status under CEQA are generally not considered significant unless impacts are associated with the species' migration routes or movements, or the species are considered locally important. In the region of the project site, common wildlife species (e.g., deer, skunk, raccoon, possum, fox, crows, buzzards) would not be considered special-status species; however, impacts on their movements and migration routes would be considered significant under CEQA. Impact BIO-4, on page 3.4-27 of the Draft EIR evaluates wildlife movement corridors and the project site is not identified as a regional wildlife corridor. The closest designated migratory wildlife corridor, Sonoma Creek, is located approximately 5 miles east of the project site (CDFW 2016). However, the project would not interfere with any wildlife movement if constructed. Impacts were found to be less than significant.

R-7 The comment asserts that much more emphasis was placed on the General Plan policies and there was a lack of use of the text and intent of the Bennett Valley Area Plan. Please refer to Master Response LU-1, which provides information regarding the Bennett Valley Area Plan.

- R-8** The comment asserts that the mitigation measure to clear cut vegetation along each side of the entrance would be in conflict with the Bennett Valley Area Plan.

The Draft EIR does not include a mitigation measure to remove vegetation along Sonoma Mountain Road. Rather, the Draft EIR notes proposed vegetation would be removed, as regular maintenance to provide adequate sight distance on both sides of the project driveway in order to reduce safety hazards, as discussed in Section 3.9 on page 3.9-26 of the Draft EIR. As discussed in Section 3.2 Aesthetics, vegetation set back further from the road would be retained. Page 3.2-18 in the Draft EIR notes the “project proposes trimming or removal of vegetation in the right-of-way on Sonoma Mountain Road to provide sight distance for vehicles using and approaching the project driveway, consistent with the recommendations of the traffic analysis. Based on a review by County Department of Transportation and Public Works and Permit and Resource Management Department staff, the required trimming or removal is expected to be limited to select trees and low growing vegetation along the roadway. Existing trees and mature vegetation behind the vegetation to be removed would remain and would continue to screen project elements, and vegetation trimming or removal would not substantially alter views along Sonoma Mountain Road.” Additional information regarding the Bennett Valley Area Plan is provided in Master Response LU-1.

- R-9** The comment lists two major goals of the Bennett Valley Area Plan and quotes that “commercial development is not considered appropriate to the rural character of Bennett Valley.” This comment also notes that the Bennett Valley Area Plan mentions when there is a difference in what is allowed, the more restrictive (Bennett Valley Area Plan or General Plan) shall apply. Please refer to Master Response LU-1, which provides information related to the Bennett Valley Area Plan.

- R-10** The comment claims that there is little emphasis on the other proposed plans for the parcel, namely the cheese manufacturing and that no studies were done on the need to truck in cheese making supplies.

The proposed production facility would be used for barrel storage, fermentation, winery production, the cheese creamery and support spaces. As noted in Chapter 2, Project Description on page 2-4, approximately 30-35% of the milk for the creamery would come from onsite and the other 65-70% would come from dairies in the surrounding area. The project would require 50 tons of fruit to be imported to the site from the surrounding area. Milk deliveries to the site would be made biweekly by truck and farmstead products would be sold onsite and shipped from the site to wholesalers or retailers weekly by truck. These truck trips are accounted for in the air quality assumptions, greenhouse gas emissions assumptions, and the traffic analysis

and the project's need to import milk for the creamery was thoroughly evaluated throughout the Draft EIR.

- R-11** The comment claims that there is no accounting for the disposal of cheese making remains, which are odorous and may be required to be trucked out.

Cheese making wastewater would be treated along with other process water from wine making and sanitary wastewater from the laboratory, tasting room and restroom facilities as discussed on pages 2-7 and 2-8 of the Draft EIR. The traffic analysis prepared for the project factors in truck trips necessary to import, export milk and cheese, as shown in Table 3.9-5 on page 3.9-15. The potential for odors resulting from making cheese are addressed under Impact AQ-5 on page 3.3-27. The project would implement Mitigation Measure AQ-1, which has been implemented at numerous wineries in Sonoma County and would reduce impacts from potential pomace odors to a less than significant level. The analysis found that there would be no significant odor impact from the production of cheese on the project site. The reader is also referred to Master Response WW-1 for more information on disposal of water used for cheese making.

- R-12** The comment asserts that commercial/industrial use would be more descriptive for the project since there is neither sufficient grapes nor livestock to provide for the proposed end product.

Chapter 2, Project Description, page 2-4, notes that fruit for the wine would come predominately from the project site with approximately 50 tons of fruit coming from the surrounding area. The Draft EIR also acknowledges that approximately 30-35% of the milk for the creamery would come from onsite and the other 65-70% would come from dairies in the surrounding area. The parcel's agricultural zoning allows preparation of agricultural products which are not grown on site, processing of agricultural product of a type grown or produced primarily on site or in the local area, storage of agricultural products grown or processed on site, and bottling or canning of agricultural products grown or processed on site, subject, at a minimum, to the criteria of General Plan Policies AR-5c and AR-5g. The commenter is also referred to Master Response LU-1 which provides information on Uniform Agriculture Rules which limit compatible support uses to 5 acres or 15% of the total acreage, whichever is less. The commenter is further referred to Response to Comment N-22.

- R-13** The comment questions what is meant by sale of "incidental items from local area" as local could be widely defined and this seems to indicate a more commercial not agricultural operation.

- The tasting room would be the primary hospitality space for all products produced on site, with a secondary function for the sale of incidental items from the local area in order to achieve project objective no. 6 to provide opportunities for small-scale sustainable farmers and food artisans to develop demand for products produced on the site. Incidental items from the local area could include local honey, t-shirts and wine-related gifts. However, there would be no off-site vendors allowed within the hospitality building. In addition, less than half of the 3,033 square-foot hospitality building would be used for both retail and tasting uses. The remainder of the building would house processing areas, a commercial kitchen, office space and restrooms. The project is considered a small-scale local operation for the sale of farmstead products. The commenter is further referred to Response to Comment N-22.
- R-14** The comment claims that when the General Plan was updated in the early 2000s there was an emphasis placed on anything sold or provided on winery sites to be incidental to making the wines and that should mean no special events should be allowed. The comment does not address any CEQA impacts and the comment is noted. The parcel's zoning allows for the proposed agricultural processing. The parcel's agricultural zoning allows tasting rooms and other temporary, seasonal or year-round sales and promotion of agricultural products grown or processed in the county subject to the minimum criteria of General Plan Policies AR-6d and AR-6f. General Plan Objectives AR-1.1 and 1.2 are respectively to "Create and facilitate opportunities to promote and market all agricultural products grown or processed in Sonoma County," and to "Permit marketing of products grown and/or processed in Sonoma County in all areas designated for agricultural use." In addition, the County's Zoning Code permits agricultural promotional events providing certain requirements are met, as outlined in Response to Comment A-3.
- R-15** The comment claims that there was no reference to a concern expressed regarding the use of tall deer fencing, which prevents the normal movement of wildlife across the land for needs such as food and water. The project does not include deer fencing, other than around the garden area. The project would not prevent movement of wildlife through the site. Please see also Response to Comment I-4.
- R-16** The comment expresses an opinion that the project is better located in a communal retail situation or near a major roadway and asserts that the isolated location was not covered in the Draft EIR.

In Chapter 5, Alternatives, the Draft EIR evaluates alternatives considered but rejected. As stated on page 5-2, "Alternatives whose implementation is remote or speculative, or the effects of which cannot be reasonably predicted, need not be

considered (CEQA Guidelines, Section 15126.6(f)(3)). Factors that may be considered when addressing the feasibility of an alternative include site suitability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, economic viability, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site. Alternative selection should focus on alternatives that would avoid or substantially lessen any of the significant effects of the project (14 CCR 15126.6(a)).” Section 5.3.1 describes that an Alternate Site is not a feasible alternative since the applicant currently owns the project site, the proposal is compatible with the applicable zoning, and it is not feasible for the applicants to reasonably acquire another site for the proposed project.

- R-17** The comment claims that only one of the five viewpoints was from the roadway or local resident’s property even though the Bennett Valley Area Plan stresses views from the roadway and neighboring properties.

The Draft EIR evaluated public views of the project site as selected by County staff from two scenic vistas in the adjacent North Sonoma Mountain Regional Park and Open Space Preserve: the Bennett Valley Overlook and the Umbrella Tree Trail Overlook. In addition, five other public viewpoints were evaluated. Based on the visual simulations prepared for the project views of the project site from public vantage points would not exceed the County’s thresholds and impacts were determined to be less than significant. In addition, the project site is not visible from adjoining properties. Please see also Response to Comment N-13.

- R-18** The comment references the regulatory framework (it is not clear but the comment appears to be referring to the Regulatory Framework included in Section 3.2, Aesthetics) and asserts that policies from the Bennett Valley Area Plan should be included in addition to General Plan policies, particularly in the visual sensitivity section as the scenic corridor polices listed are less restrictive than what is required in the Bennett Valley Area Plan.

In Section 3.2 under Local Regulations, pages 3.2-13 to 3.2-14, the Draft EIR lists policies of the Bennett Valley Area Plan as well as policies from the Bennett Valley Area Plan Design Standards. Additional information regarding the Bennett Valley Area Plan is provided in Master Response LU-1.

- R-19** The comment expresses frustration with the loss of beauty, peace and quality of life for more tourists and more money and expresses the opinion that there really wouldn’t be any enforcement for the required mitigation.

The project would be required to complete a Mitigation, Monitoring and Reporting Plan (MMRP) that would be approved concurrently with the project. The MMRP outlines all the required mitigation measures, responsible parties for completion and enforcement, and the timing of mitigation. A copy of the MMRP is included as an attachment to the Board of Supervisors Staff Report.

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Comment Letter S

To: Melinda Grosch, Planner, Sonoma County

cc: Susan Gorin, Board of Supervisors, Sonoma County
Rose Zoia, Attorney-at-Law

From: Hilary Burton and Ernie Haskell
5700 Sonoma Mountain Road

Re: Draft Environmental Impact Report (DEIR) for PLP12-0016 Belden Barns

The draft EIR for the Belden Barns project attempts to show that the commercial development and expansion of the original Dave Steiner vineyard into a winery and creamery with "fresh/preserved vegetables/fruit, eggs, charcuterie, and cheeses" would fit seamlessly into the rural and totally noncommercial Sonoma Mountain Road environment.

S-1

The current Belden plan has evolved from the original winery and creamery to include vegetables, fruits, charcuterie and other related products likely in an attempt to take the focus off the creation of one more winery, tasting room, and event center in Sonoma County. The creamery, in particular, shows how ill conceived this project is. There are no intrinsic ties between the creamery and existing Belden or former Steiner operation. For example, there are no dairy goats or cattle on the property making a creamery a logical development. There is no creamery expertise in either the Belden family or associates to explain the creamery as a natural outgrowth of in-house talent. Instead, one can surmise that the inclusion of a creamery is done strictly to extend the income producing scope of the winery - but at a combination of very high costs to the Sonoma Mountain Road environment: at least 70% (Section 2.5.1, p. 2-4) of the necessary milk will have to be trucked in (after the Belden's acquire the livestock to produce the 30% cited as in-house production); the noise from the equipment involved in the operation which will run 24 hours a day, 7 days a week, 365 days a year will require a "5 foot high solid wall" (Section 3.8, p. 3.8.26) and modified in Appendix G to specify "a surface density of at least four pounds per square foot." ; and the disposal of the significant amount of waste water (which has a high BOD), rather than being used as a source of irrigation water as was originally suggested will require special handling which they and the EIR authors do not appear to have thoroughly understood. The wastewater will likely not be satisfactorily treated even by a strengthened vineyard water treatment system such as AdvanTex, cited by Belden. And, there is no consideration given to the fact that their secondary MCL's did not meet drinking water standards (p. 23, App. F) which means that water will require pretreatment before it can be used to wash/steam clean equipment. Actual use in the production process will require further treatment to meet legal standards.

S-2

S-3

S-4

S-5

S-6

For these reasons, it would strengthen the DEIR/project plan to drop the creamery development. The novelty of offering artisanal cheeses and supporting an aspiring cheese maker are already met by the more than 30 creameries in the County, several of which offer cheese making classes. Furthermore, several cheese-centric County wide functions already exist such as the Sonoma Artisan Cheese Festival and the Petaluma Artisan Cheese Festival. And these events are much more accessible than an event center located on Sonoma Mountain Road.

S-7

Indeed, the farmstead concept which the Project Plan stresses is already strong in Sonoma County and certainly the Belden tastings and sales should be limited to items actually grown on site rather than any varieties brought in from other locations as they've suggested. There are more than 20 certified farmers' markets in the County and they offer outlets to market vegetables and fruits so that a remotely located Sonoma Mountain Road vineyard doesn't need to compete. In fact a substantial fruit and vegetable farm and sales outlet exists at the corner of Petaluma Hill Road and Roberts Road - a corner that Beldens likely pass on their way from their home in San Francisco to their Sonoma Mountain Road property.

S-8

We strongly support the abundant products the County yields and we support programs and activities to make such products available, but we prefer to support relevant existing outlets instead of devising new ones that fragment the situation and confuse commercial overextension such as the Belden's with true agricultural preservation.

S-9

Although Appendix F: Groundwater Resources Technical Report" claims to provide supplemental groundwater analysis "to the site-specific groundwater study prepared by E.H. Boudreau (2013), neither provides much actual site specific data. Instead estimates were made, plugged in to models and equations and simulations were run. According to Dudek "This analysis is based on limited available data and relies significantly on interpretation of data from disparate sources and of disparate quality." (p. 3, App. F) Further clouding the study "a reliable measure of the aquifer parameters for the underlying formation could not be determined... Instead aquifer parameters were estimated."(p. 3, App. F) so that the DEIR relies on assumptions based on regional studies and are not site specific. And there were no real well tests performed due to limited capacity and lack of definitive groundwater level response. Though the uncertainty this analysis causes is noted in Appendix F, it is not referenced in the main body of the DEIR dealing with hydrology/ groundwater which reads as though many thorough, complex, site specific tests were carried out, when in fact they were not. And the appendices are not referenced in the Table of Contents of the DEIR found on the County's web site as 000_DEIR_Combined so they are easily overlooked.

S-10

And, as in the Boudreau report, the average rainfall used in various calculations and estimates is too high. In Dudek's study 42" per year is used since it is argued that

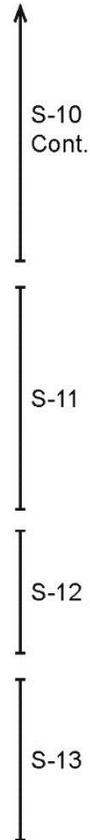
Sonoma Mountain receives more rainfall than Santa Rosa. The Boudreau report is also cited several times as a source of site specific groundwater data when what it actually included were standard textbook analyses.

In discussing the 4 tier classification system for groundwater availability, Dudek states that the project site is within Class 3 Marginal Groundwater Availability (p. 22, App. F) when the PRMD map shows it to be Class 3 and Class 4: Areas with Low or Highly Variable Water Yield. Class 3 and 4 should not be used for commercial development.

Other areas in the draft EIR that cause confusion relate to the Executive Summary Project Objectives (ES 2-3)...”3. for the purpose of on-site marketing, create an on-site experience and 4. Provide on site tasting and direct to consumer sales.” These get translated into the Analysis of Alternatives (ES.4) as tautologies that eliminate the acceptance of any solution off-site. Tasting and marketing can certainly be accomplished direct to consumer without having the consumer come up Sonoma Mountain Road to either taste or purchase. It would also be safer for all concerned.

Another question concerns Objective 1. (ES-2)” Create an economically self-sufficient and viable business...” Does this mean break-even financially or make a profit or get rich. Any hidden assumptions and definitions get incorporated in the DEIR and show up when the successful alternatives are almost foregone conclusion.

And our final concern is the discrepancy between the use or claim that this project will be a family farmstead yet the family does not do the work. A young couple is currently managing the vegetable/fruit gardens. A winemaker and various farm laborers carry out the vineyard operation. And additional staff will be brought in to handle additional tasks, leaving the operation looking a lot like a commercial, retail operation with Belden as Boss.



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Letter S

Hilary Burton and Ernie Haskell

August 1, 2016

- S-1** The commenter is stating an opinion that the Draft EIR characterizes the project as “fitting into the rural” environment of Sonoma Mountain Road.

The authors of the Draft EIR provide an objective analysis of the potential impacts associated with project construction and operation, in accordance with the CEQA Guidelines. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

- S-2** The commenter states an opinion that there is no connection between the prior uses of the property and the proposed creamery and that the inclusion of a creamery was only done to increase profits.

The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

- S-3** The comment states that approximately 70% of the milk will need to be delivered to the site. The commenter is correct, as stated in Chapter 2, Project Description, on page 2-4, “[A]pproximately 30%–35% of the milk for the creamery would come from on-site livestock and the remaining 65%–70% would come from other dairies in the surrounding area. Milk deliveries to the site would be made biweekly by truck.”

- S-4** The comment is referring to noise associated with project operation. Please see Master Response NOI-1, which provides more detail on noise issues associated with project operation.

- S-5** The comment states the project would require the disposal of a significant amount of wastewater, in lieu of being used for irrigation as was originally suggested and treatment of this wastewater will require special handling that was not addressed in the Draft EIR. The commenter is referred to Master Response WW-1. Additionally, the proposed project does propose using treated wastewater as a source of irrigation. The drip irrigation of reclaimed water is only proposed as the reserve system (in case the standard filled land system to be built is abandoned). The area

- proposed for reuse of treated wastewater for irrigation is shown on Figure 2-4 and referred to as the “reserve area for reclaimed process wastewater.”
- S-6** The comment alleges the project does not meet drinking water standards and will require pre-treatment in order to wash/steam equipment.
- The proposed project would include groundwater treatment systems necessary to achieve the quality needed to support planned uses, as required. It should be noted that the only water quality standards exceeded relate to *secondary* maximum contaminant limits (MCLs), which are aesthetic considerations related to color, taste and odor. Secondary MLCs are non-mandatory water quality standards and are not considered to present a risk to human health.
- S-7** The comment is stating an opinion that there are several creameries in the area and suggests eliminating the creamery from the project.
- The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- S-8** The comment states an opinion that there are other farmstead projects in the County and that the project should limit tasting and sales to items grown on the project site and not brought in from other locations.
- The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- S-9** The comment provides support for other existing farmstead programs, but does not support creating new farmstead concepts.
- The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- S-10** The comment reiterates the limitations of the groundwater study acknowledged in Draft EIR Appendix F, takes issue with the rainfall estimate, and claims the project is also in a Class 4 (Marginal) groundwater availability zone.
- For the most part, these concerns are addressed in Master Response GWA-1. With regard to the groundwater availability zone, the Draft EIR is correct in stating that the project is within Class 3 Marginal Groundwater Availability zone. In addition to the

project's administrative record, the countywide map is available in pdf format at http://www.sonoma-county.org/prmd/gisdata/pdfs/grndwater_avail_b_size.pdf.

- S-11** The comment indicates a concern regarding the project objectives and notes that the objectives eliminate any off-site options and tasting or purchasing can be accomplished by not having people come to the project site.

The project alternatives developed for the project, evaluated in Chapter 5, Alternatives, include a No Tasting Room Alternative, which eliminates an on-site tasting room; and Off-Site Tasting Room Alternative, which relocates the tasting room off-site in the city of Rohnert Park or Santa Rosa; and a No Events Alternative, that eliminates all on-site events. Based on the analysis, the No Tasting Room would be the environmentally superior alternative compared to the project.

- S-12** The comment questions the motive behind project objective 1, which states: "Create an economically self-sufficient and viable business growing and selling wine and farmstead goods." This objective relates to the applicant's objective to develop a business on his property that is economically viable and self-sustaining. There are no hidden assumptions included in this objective.

- S-13** The comment questions if the project will be a family farmstead if other people are involved in managing and running the day-to-day operations.

The project would provide on-site housing for a "farmer-in-residence" to provide opportunities for people to farm and make farmstead products. Please see Response to Comment N-22 for a more detailed description.

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Comment Letter TS

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TRANSCRIPTION OF THE JULY 19, 2016
SONOMA COUNTY BOARD OF SUPERVISOR MEETING
BELDEN BARNS MATTER

Transcribed by: Johnna Piper, CSR 11268

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1 SUPERVISOR CARRILLO: We will move to our
2 regular portion of our meeting this afternoon. We
3 do have a couple of items that may take up a
4 significant amount of time, depending on public
5 comments. So for those folks that are here on both
6 items 37 and 38, again, 37 is the comment on the
7 Belden Barns Winery cheese creamery Draft
8 Environmental Impact Report. Item 38 is a community
9 separated protection ordinance. There are public
10 speaker cards in the back. You are not required to
11 fill them out. It just makes it easier for me to be
12 able to move through the public hearing portions,
13 the comments from the public, as well as the
14 engagement debate and communication here from the
15 board. So, again, you are welcome to fill them out.
16 You are not required to.

17 We're going to take item number 37 first.
18 This is a 210 time certain PLP 12-0016. It is
19 comments on the Belden Barns Winery and Cheese
20 Creamery Draft Environmental Impact Report.

21 After staff presentation, I'll let members
22 of the public know how I will be conducting the
23 hearing. So I'll ask staff to make self
24 introductions and we'll begin with director of PRMD
25 Director Tennis Wick.

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1 DIRECTOR TENNIS WICK: Thank you, Mr.
2 Chairman, members of the board. Good afternoon.
3 This matter concerns a 10,000-square-foot winery and
4 small creamery on Sonoma Mountain Road the board
5 approved in October 2014. Litigation ensued
6 resulting in a settlement agreement requiring the
7 preparation of an EIR. The board retained
8 jurisdiction over the project which staff will
9 present today.

10 This hearing is to receive comments on the
11 Draft Environmental Impact Report. The merits
12 hearing on the project will be scheduled for a
13 hearing, the date of which will be determined.

14 With that, I will hand it over to staff for
15 presentation of the project.

16 MELINDA GROSCH: Good afternoon, Efren
17 Carrillo, members of the board and members of the
18 project. I'm Melinda Grosch from PRMD. With me
19 today are Sandi Potter, PRMD division manager of
20 environmental and comprehensive planning; Crystal
21 Acker, PRMD environmental specialist; Verne Ball,
22 Deputy County Counsel, and we also have Christine
23 Conner, project manager.

24 Before you today is the Draft Environmental
25 Impact Report for the Belden Barns project. The

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1 hearing will allow people to make oral comments on
2 the Draft EIR. I will present a very brief overview
3 of the history of the project and the project
4 description for context.

5 Today's hearing will cover project history
6 and settlement agreement, the project site, project
7 description, the Draft EIR analysis and conclusions
8 and the next steps. The focus of the hearing is on
9 the Draft EIR and not the actual merits of the
10 project.

11 The application was submitted in May
12 of 2012 and was approved by the Board of Zoning
13 Adjustments in March 2014. After an appeal was
14 filed, the Board of Supervisors denied the appeal
15 and approved the project on October 24th, 2014. The
16 Friends of Sonoma Mountain Road filed a lawsuit in
17 November of the same year.

18 In July of 2015, the suit was set aside per
19 settlement agreement in which the board retained
20 original jurisdiction, which is why you are here
21 having this hearing today. The settlement also
22 specified that an Environmental Impact Report be
23 prepared. And Sandi will go over that document in a
24 few minutes.

25 Today's hearing is being held so that

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1 comments may be received on the Draft EIR, which was
2 prepared by Dudek, an environmental consulting firm.
3 Draft EIR was released on June 17, 2016, and copies
4 were made available directly to the interested
5 parties, and also as a link on the PRMD website and
6 hard copies were placed in reference -- at the
7 reference decks local libraries and at PRMD.

8 The project is located at 5561 Sonoma
9 Mountain Road, which is approximately one and a half
10 miles east of the Presley Road, Sonoma Mountain Road
11 intersection.

12 This 2013 aerial photograph shows the
13 existing vineyard plantings, the existing
14 development on the property, the pond and right here
15 is the south fork of the Matanzas Creek, which there
16 is a new zoning designation that was not in place in
17 2014 when it was originally approved called RC, with
18 a 50-foot setback for both dwellings and
19 agricultural development.

20 The base zoning and general plan
21 designation, our land consists of agriculture. The
22 site is also within the Bennett Valley Area Plan.

23 The requests for use permit and design
24 review for a winery and cheese processing facility.
25 The farm will also produce fresh fruits, vegetables

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1 and eggs and preserved fruits and vegetables.

2 The applicant requested a 10,000 case per
3 year winery and a creamery producing 10,000 pounds
4 per year of cheese with a tasting room and up to
5 eight agricultural promotional events per year.

6 The applicant made minor changes to the
7 2012 proposal and these were included in the EIR
8 analysis. The applicant reduced the number of
9 events from 12 to eight per year. There was a minor
10 change in the buildings where they separated the
11 tasting room from the primary dwelling and a minor
12 change in site plan and crops. No change was made
13 to the project objective, which was to create an
14 economically self sufficient and viable business
15 growing and selling wine and farmstead food.

16 The site, although very small, shows the
17 existing vineyards, orchards and vegetable gardens
18 and the proposed locations of the tasting room, the
19 production facility and some farm worker housing.

20 This is the crop plan. The yellow areas
21 are future vegetable gardens, orchards and/or
22 grazing. Light green areas are proposed grazing.
23 Dark green areas are existing vineyards. Blue areas
24 are vegetable gardens. Red areas are orchards, and
25 purple areas are proposed herb gardens.

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1 I'll now turn over the presentation to
2 Sandi Potter.

3 SANDI POTTER: Thank you, Melinda.

4 I'll now describe the Draft EIR process and
5 summarize the conclusions of the environmental
6 analysis. As Melinda mentioned, the Draft EIR was
7 made available to the public and to the state
8 clearinghouse on June 17th for a 45-day review
9 period.

10 The purpose of this hearing is to receive
11 oral comments on the Draft EIR. Written comments
12 will be accepted until August 1st, and responses to
13 comments will be prepared and provided in the Final
14 EIR. The Board of Supervisors will hold another
15 public hearing to consider the Final EIR and the use
16 permit application.

17 The EIR analysis concluded that there will
18 be no significant impacts from the project after the
19 recommended mitigation measures. This Draft EIR
20 builds on the environmental assessment that was
21 conducted for the 2014 initial study and provides
22 additional detailed analysis. No significant
23 impacts remain after the mitigation measures
24 identified in the Draft EIR, and all mitigation
25 measures will be included as use permit conditions

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1 entrapped through the mitigation and monitoring
2 program.

3 The Draft EIR is structured with the
4 15-page executive summary that identifies
5 potentially significant impacts and the recommended
6 mitigation measures.

7 Volume 1 of the Draft EIR evaluates and
8 details the topics listed on this slide, including
9 aesthetics, biological resources, groundwater and
10 traffic. And background documents, including the
11 original scoping comments, the original initial
12 study and supporting technical analysis are
13 contained in the appendices, Volume 2, which are the
14 digital files that are attached to the document in a
15 CD.

16 So this slide lists in a summary format the
17 mitigation measures that are identified to reduce
18 impacts such as from traffic and noise and to bring
19 all potentially significant adverse environmental
20 effects to a less than significant level.

21 Cultural resource monitoring by qualified
22 archeologists or tribal monitor was agreed upon in
23 consultation with the Lytton Rancheria as required
24 by AB52. Again, all mitigation measures would be
25 included in the use permit conditions and in the

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1 mitigation monitoring program that will be included
2 in the Final EIR.

3 The EIR evaluated several alternatives in
4 addition to the proposed project. And these include
5 the required no project alternative which would
6 leave the site in its current condition.

7 A no on-site tasting alternative was also
8 considered and that would eliminate the tasting room
9 while maintaining other activities at the proposed
10 hospitality building.

11 The eight proposed agricultural promotional
12 events per year would still occur under that
13 alternative.

14 A third alternative to analyze is off-site
15 tasting room alternative which would allow for
16 operation of a tasting room off site, most likely in
17 Santa Rosa or Rohnert Park and the hospitality
18 building would not be constructed under this
19 alternative.

20 Eight agriculture events would occur under
21 the alternative, but no tasting or retail sales
22 would occur at the site. That would have to occur
23 off site at the off-site tasting room.

24 And then finally, a no-events alternative
25 was considered. This would eliminate on-site events

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1 from the proposed project, but it would involve the
2 same construction and operation as the project
3 except for those eight events.

4 So the next steps: This hearing will be
5 transcribed and all the comments from this afternoon
6 will be responded to in the Final EIR. PRMD will
7 continue to accept written comments until Monday,
8 August 1st at 5:00 p.m., the close of the 45-day
9 comment period, and staff will work with our
10 consultant Dudek to prepare written responses to
11 comments and publish a Final EIR in the coming
12 months.

13 Following publication of the Final EIR, the
14 Board of Supervisors will hold another public
15 hearing to consider certification of the EIR and
16 consider approval of the use permit and any
17 conditions of approval.

18 Again, this hearing is being held until
19 accordance with the California Environmental Quality
20 Act to hear and record oral comments that will be
21 addressed in the Final EIR. The public and the
22 board will consider the Final EIR and the merits of
23 the project at a subsequent hearing.

24 Thank you for your time this afternoon.
25 The project team, including the PRMD staff, Verne

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1 Ball from county council, and Dudek are here to
2 answer any of your questions.

3 SUPERVISOR CARRILLO: Thank you for that
4 introduction, and thank you for background
5 information on this matter.

6 I do have about a dozen or so speaker cards
7 on this particular item, so what I will do is I will
8 open the public hearing, have the hearing conducted,
9 close it and then invite board members to delve into
10 the questions and comments of the Draft EIR. Again,
11 the purpose is of today's hearing is not to look at
12 the merits of this particular project, nor the
13 approval or disapproval of the project, but for
14 comment, oral comment, on the Draft EIR. And as
15 noted in the staff report, comment both written via
16 e-mail or letter or so forth will be accepted
17 through August 1st of 2016 on this particular
18 project.

19 So with that, I'm going to open the public
20 hearing and start with Reuben Weinzveg, followed by
21 Wayne Berry and Byron LaGoy. If you are on cue, if
22 you can just make your way forward, we have extra
23 chairs in the front so that we can get through the
24 hearing as -- as succinctly as possible.

25 REUBEN WEINZVEG: Thank you. Reuben

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1 Weinzveg, 47-year resident of Sonoma County. I have
2 a three-page response that I will hand to the PRMD,
3 but I would like to read a couple paragraphs and
4 make a couple of quick comments.
5 The Draft EIR we feel is deficient in
6 evaluating the whole project, in addressing --
7 excuse me, in terms of meeting the requirements of
8 the Williamson Act, or the mandatory finding of
9 significance, there is not substansive [sic]
10 evidence that the mitigation as defined will meet
11 the legal requirements that -- and this is a quote
12 from the Williamson Act -- "The project will not be
13 detrimental to the health, safety, peace, comfort
14 and general welfare of persons residing or working
15 in the neighborhood."
16 Specifically we feel that there are safety
17 issues on that road. I would -- I know that you
18 can't go to every single project, supervisors, but
19 if you drove from Presley Road over to Glen Ellen on
20 that road once, I think you would understand what
21 the safety issues are on that road.
22 I personally have a friend who died because
23 they could not get the ambulance up that road. Rita
24 Hamilton died of a heart attack at age 50. They
25 couldn't get the ambulance up the road and --

TS-1
TS-2

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1 because of a road obstruction. And they sent the
2 Reach helicopter, which did not get there in time
3 because of the delay. So there is a real
4 significant safety issue.

5 The project's objectives are defined only
6 to maximize the income potential of the project
7 property transferring the impacts to adjacent
8 property owners. In fact, the off-site tasting room
9 alternative described by PRMD does meet all of the
10 objectives in that it provides direct-to-consumer
11 sales and a venue for events. It is just a far
12 superior environmental setting than the project
13 site.

14 The owners have suggested that they would
15 tell people not to come in from the east for safety
16 reasons. Well, if you are coming from Richmond,
17 Napa, Sonoma, Kenwood and you plug that into your
18 GPS, Google is not going to tell you to go to
19 Rohnert Park. They are going to direct you direct
20 up the east -- east side of Sonoma County -- Sonoma
21 Mountain Road.

22 So we feel that the mitigations that are
23 suggested for safety are inadequate. There have
24 been two people killed on that road in recent years.

25 SUPERVISOR CARRILLO: Thank you, Reuben.

TS-3

TS-4

TS-5

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1 Wayne Berry followed by Byron LaGoy.

2 WAYNE BERRY: Mr. Chairman, Wayne Berry,
3 240 Sonoma Ridge Road. I'm a new resident. I've
4 only lived in this county for a year.

5 Mr. Chairman, would it be possible, I did
6 not know what the audiovisual situation would be
7 like. Can I face my computer towards the council?

8 SUPERVISOR CARRILLO: Absolutely.

9 WAYNE BERRY: Thank you.

10 SUPERVISOR CARRILLO: Yeah. Please. It
11 may be difficult for us to see, but you certainly
12 are welcome to.

13 WAYNE BERRY: Thank you. I appreciate the
14 indulgence.

15 You know, I just keep thinking, thank God
16 there are people like you. I don't know how people
17 get through a document like this. This is huge.
18 And it is really excellent due diligence. But
19 there's a lot and a lot of data in here and the
20 devil is in the data. And although it looks benign
21 and it looks like, you know, there's not going to be
22 any significant impact, there is a cancer in here
23 and we've got to root that out.

24 You know, but the problem is for us is that
25 most of us are not experts in any of this. And so

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1 we've got to try and understand. Let's take noise,
 2 for example. There's so many comments in here where
 3 everything just flies just under the radar of the
 4 regulations. 45 decibels, all right. So what is 45
 5 decibels? How come 45 decibels LDN, day/night, is
 6 acceptable? What does it sound like? Sorry. The
 7 volume is not correct. (Inaudible audio played.)
 8 So normal conversation is not from the ground up
 9 (inaudible.)
 10 What is the sound like inside the house?
 11 (Inaudible recording played.)
 12 SUPERVISOR CARRILLO: Wayne, you have about
 13 30 seconds just so you know.
 14 WAYNE BERRY: (Inaudible recording played.)
 15 That is 45 decibels day/night. How come it is -- it
 16 is okay? It is because it is averaged over
 17 24 hours. And that is the problem in here. And
 18 that is where you guys are going to have to get into
 19 that data.
 20 SUPERVISOR CARRILLO: Thank you, Wayne.
 21 Byron LaGoy followed by Kirsten Cutly -- or Cutler.
 22 WAYNE BERRY: Thank you, Mr. Chairman.
 23 SUPERVISOR CARRILLO: And, again, this --
 24 folks will have an opportunity to comment through
 25 August 1st and then there will be another public

TS-6

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1 hearing to consider the Final EIR and the project
2 itself.
3 BYRON LAGOY: Hello. Can you hear me all
4 right?
5 SUPERVISOR CARRILLO: Yes, sir.
6 BYRON LAGOY: I apologize. I've not been
7 able to get this quite down to three minutes, but I
8 will read as quickly as possible.
9 Speaking for the Friends of Sonoma Mountain
10 Road regarding traffic and road safety in relation
11 to the proposed project is not realistically
12 possible to mitigate the threat to life and quality
13 of life that approval of this project presents.
14 Road safety is not a problem that the DEIR fixes.
15 The overarching purpose of CEQA is a
16 provision for quality environment now and in the
17 future. Significant effect on the environmental is
18 interpreted as a substantial or potentially
19 substantial adverse change in the environment. The
20 proposed project would create just such an adverse
21 change. Approval of the proposed project where no
22 such business-type development has ever existed, not
23 only creates significant problems with regard to
24 traffic safety now, but establishes a precedent for
25 those vineyard owners who will inevitably seek

TS-7

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1 permission for similar developments. The problem of
2 combined impact can't be avoided.

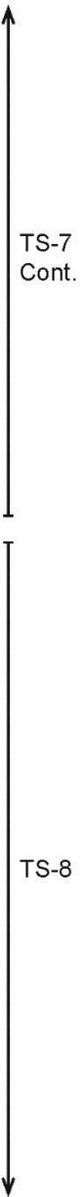
3 This project is not, as it is for many
4 other wineries in the county, an effort to expand on
5 already existing winery tasting room and event
6 center. This project proposes to expand the
7 preexisting vineyard into an entire on-site wine,
8 cheese and hospitality business at a time when the
9 county and its wineries, as the July 12th wine event
10 study session made clear, are already suffering from
11 excessive development.

12 Sonoma Mountain Road has been identified as
13 the worst road in the county. We've commissioned a
14 peer review of the DEIR traffic study that is still
15 in draft form, but which points out that the study
16 fails to adequately address traffic safety issues.

17 For instance, a section of the road east of
18 the project down to Glen Ellen has many sharp
19 curves, extremely limited sight distances and abrupt
20 drop-offs. Sections of the road are poorly paved
21 and have only 10-foot wide areas for passing.

22 The road to the west of the project has had
23 two sections fall away just since the portion was
24 repaved.

25 My wife and neighbors drive this road many



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1 times a week and report near-miss accidents on a
 2 regular basis.

3 These conditions constitute a major traffic
 4 safety issue for visitors and guests and wine
 5 tastings, weddings and other special events,
 6 especially after consuming alcohol. Approval of the
 7 proposed project would constitute a sanction to
 8 drink and drive on a road already hazardous at any
 9 time and with no realistic way to mitigate a
 10 drinking and driving eventuality.

11 The DEIR traffic study also projects a six
 12 percent increase in the volume of traffic on Sonoma
 13 Mountain Road, but calls this insignificant. A six
 14 percent increase may not pose a problem with
 15 congestion because of the low-base traffic volume on
 16 the road, but for a local low-volume road like
 17 Sonoma Mountain Road, such an increase would
 18 definitely be noticeable and should be recognized as
 19 significant.

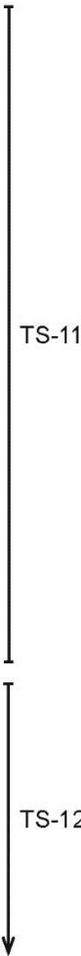
20 The traffic study further researched that a
 21 six percent increase in traffic would have no impact
 22 on pedestrians and bicycle facilities, but there are
 23 no such facilities on Sonoma Mountain Road.

24 SUPERVISOR CARRILLO: Thank you, Byron.
 25 And you are welcome to submit the written comment as



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1 well.
2 BYRON LAGOY: If I could finish the last
3 sentence?
4 SUPERVISOR CARRILLO: Kirsten Cutler
5 followed by Edwin Cutler.
6 KIRSTEN CUTLER: I oppose locating the
7 Belden Barns project on Sonoma Mountain Road, a
8 failed narrow, winding road with no shoulders. This
9 road has continuous problems, a stretch of road that
10 remained unfixed for several years, unavailable
11 fed-through traffic, also cave-ins, two currently
12 marked off by metal posts; one of those unfixed for
13 about a year and a half, the other forcing traffic
14 into the opposing traffic lane.
15 All of us who drive this road daily
16 encounter scary near misses where we have to come to
17 a total stop to avoid accidents. Now add in the
18 danger from inebriated drivers from wine tasting and
19 events.
20 DEIR traffic data demonstrates majority of
21 vehicles approach from the east, the most dangerous
22 section of road. Then assume 75 percent of traffic
23 will come from the west and states the owner will
24 discourage visitors from traveling from the east.
25 This clearly acknowledges the problem of traffic



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1 from the east and proposes a mitigation that cannot
 2 be enforced.

3 DEIR states project will not reconfigure
 4 existing roadway, yet they intend to remove
 5 vegetation 400 feet to the east, right in front of
 6 our property, to improve sight lines. Our trees and
 7 vegetation serve to mitigate sound and visual impact
 8 of roadway.

9 The DEIR assesses the visual aesthetic
 10 impacts to location on the trail in the north Sonoma
 11 Mountain Regional Park, an open space preserve, but
 12 no noise measurement or modeling. It should include
 13 a noise as well as visual impact analysis for the
 14 park and preserve.

15 The DEIR states that all building
 16 construction is to be -- would be existing
 17 development footprint. However, the new farm worker
 18 building is being moved over 200 feet closer to the
 19 nearest resident to an area that has no building
 20 development.

21 DEIR states population residing on-site
 22 would not increase. Claims current population
 23 residing on-site is two. Yet, they are building
 24 housing for seven.

25 A DEIR note mentions mountain amphitheater

↑ TS-12
Cont.

TS-13

TS-14

TS-15

TS-16

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1 effect for 87 decibel outdoor chiller, but it does
2 not factor it in anywhere else in noise study.
3 Project is characterized as a small-scale
4 family operation. DEIR states several times that
5 multiple farmers and product producers will be
6 operating on-site to establish demand for their
7 products.
8 DEIR makes no analysis of the Rogers fault
9 which is the most significant fault in our area and
10 instead focuses on a less significant fault. Thank
11 you.
12 SUPERVISOR CARRILLO: Thank you. Edwin
13 Cutler followed by David Welsh and Jane Nielson.
14 EDWIN CUTLER: Thank you.
15 I'm concerned with placing this project on
16 a failed road. It is challenging to navigate in the
17 state of continual disrepair and is popular with
18 bicyclists and pedestrians. We depend on the road,
19 yet the traffic is associated with this project will
20 put extra stress on it. Encouraging wine tasting
21 and driving will make it even more dangerous and
22 difficult to navigate safely. The DEIR makes no
23 evaluation of these concerns. Area residents walk
24 and drive the road with extreme caution because of
25 our frequent experiences of close calls. Even the

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TS-18

TS-19

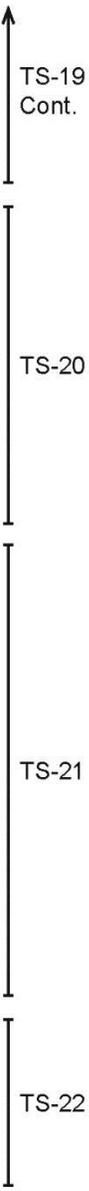
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1 slightest of impairment reflexes or judgment is a
2 serious danger. Two of my neighbors have died in
3 traffic accidents on the road, one about a mile away
4 and one within a couple hundred feet of my home.

5 Dudek chose not to test my well and instead
6 tested a nearby well which has been abandoned for
7 36 years and extrapolated numbers to estimate
8 impacts on my well. Ours is the closest well to the
9 Beldens and I would prefer to rely on hard data
10 rather than the estimates and surmises that DEIR
11 makes about our well.

12 Well testing included 24-hour tests pumping
13 at 23 gallons per minute to determine the effect of
14 the Belden's well capable of producing 500 gallons
15 per minute had on the neighborhood wells. While the
16 test showed minimal affects, the DEIR states, quote,
17 "24-hour pump tests as equipped could not achieve a
18 high enough pumping rate to determine the
19 transmissivity or storage coefficient or the
20 aquifer, i.e., a stress test." And, again, resorts
21 to projections and surmises rather than hard data.

22 The DEIR acknowledges the 2003 Kleinfelder
23 study which found declining groundwater levels in
24 the Bennett Valley area with groundwater well
25 pumping the primary factor.



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1 Our neighbor at 5300 Sonoma Mountain Road
2 attempted to irrigate his orchard running his pump
3 at 50 gallons per minute for 24 hours and depleted
4 his water supply. Others in the neighborhood have
5 had their well go dry several summers requiring them
6 to truck in water.

7 Mr. Belden intends to maintain his water
8 use with the 23-gallon-per-minute pump, but there's
9 no guarantee of this and we don't know what the
10 affects of the larger pump on the surrounding area
11 would be.

12 The DEIR analysis concludes that there
13 would be no significant drawdown the groundwater
14 basin or subbasin and thus no mitigation is
15 necessary. However, the calculation of the use
16 figures needs to be more clearly explained and
17 particularly, the area of creamery operation and
18 wastewater generation and the disposal needs to be
19 explained in detail. The combination of unrealistic
20 use figures, estimates instead of actual water
21 analysis data, and the site's complex natural
22 environment make the DEIR's hydrology review less
23 than a simple reassurance it attempts to be. Thank
24 you.

25 SUPERVISOR CARRILLO: Thank you, Edwin.

TS-23

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1 David Welsh followed by Jane Nielson and Donna
2 Parker.
3 DAVID WELSH: Hello. One other thing that
4 the DEIR didn't address was the fact that the
5 project isn't going to be able to produce all the
6 milk that they need and all the grapes and
7 everything that they need so they are going to be
8 trucking it in. And they don't say what that is
9 going to do, how many trucks is it going to take to
10 make this work and how much traffic will be added
11 and I think that needs to be addressed.
12 SUPERVISOR CARRILLO: Thank you, Mr. Welsh.
13 Jane Nielson followed by Donna Parker.
14 JANE NIELSON: Good afternoon. I'm a Ph.D.
15 geologist, former USGS, and I have a Ph.D.
16 professional geologist license from the State of
17 California. I'm here to tell you that the good news
18 is you have a very good hazard mitigation plan. The
19 County of Sonoma has an excellent hazard mitigation
20 plan. Bad news is it is never used for the purpose
21 that it was intended.
22 I also want to tell you that this DEIR does
23 not have an earthquake hazard mitigation plan --
24 sorry, an earthquake hazard mitigation assessment.
25 It has some words about earthquakes, but not a

TS-25

TS-26

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1 hazard assessment that can be mitigated.
2 I want to say that the hazard mitigation
3 plan strategy notes that county codes allow permit
4 approval and environmental review processes under
5 CEQA to address and mitigate hazards on a
6 site-specific basis. The diagrams are scaleable so
7 you can locate sites. I've never seen it used in
8 your processes and it ought to be used.
9 Now Belden Barns on the earthquake hazard
10 map is located in a zone of moderately high hazard
11 for earthquake shaking, and it is also at hazard for
12 landslide triggering of earthquakes. There are lots
13 of landslides in the vicinity. There are two older
14 landslides on the site. The people who live to the
15 south of this site -- or is it to the north -- to
16 the north of this site are -- their house is in a
17 landslide which might extend right up under the
18 Belden Barns property.
19 There's no real hazard assessment for the
20 earthquake and no -- for earthquake hazards, there's
21 no mitigation possible without that. Instead, the
22 DEIR presented a calculation that is -- that has
23 been used for predicting the potential frequency of
24 earthquakes on any particular fault, but that has
25 never been successful in predicting any of the big

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1 earthquakes that we've had, even the small ones in
 2 the past 37 years that it has been used. And the
 3 USGS has admitted that. And it isn't a hazard at
 4 all to say 10 percent probability of an earthquake
 5 happening at any position on that fault which
 6 stretches from San Pablo Bay to Healdsburg.

7 So the DEIR should include an assessment of
 8 the potential earthquake shaking on the Roger's
 9 Creek fault. It should be required by PRMD and
 10 every site in a hazard zone that is looked at,
 11 should -- the PRMD should specify that the hazards
 12 be assessed using the county's hazard mitigation
 13 plan according to the way it was designed to be
 14 used. Thank you.

15 SUPERVISOR CARRILLO: Thank you,
 16 Dr. Nielson. Donna Parker followed by Dan Viele.

17 DONNA PARKER: Hi. Thank you. I'm Donna
 18 Parker and I live across the road from the Belden
 19 project. I've been in the wine industry for
 20 35 years, so I'm certainly not opposed to wineries.
 21 And I do know a bit about this. The DEIR assumes
 22 that the off-site tasting room would have tasting of
 23 all wine, cheese and farmstead products. But there
 24 are many other alternatives for an off-site tasting
 25 room. For example, the tasting room in Glen Ellen,



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1 customers would taste wine there, be brought up,
 2 shuttled up to the winery to taste cheese and
 3 farmstead products there, then tour the property,
 4 see the vineyards and where the products are grown,
 5 then back to the tasting room in the shuttle for
 6 more wine and food pairing and consummation of the
 7 sales. This is a great idea. It is fun and
 8 addresses traffic and the poor and failed road
 9 concerns, but it still connects people to the
 10 property. There are more alternatives that we could
 11 address, but this short time frame doesn't allow for
 12 that today.

13 Also, please keep in mind that there are 16
 14 vineyards in the immediate area that are in line to
 15 follow the Belden. And why not? They can make more
 16 money right where they are. So the
 17 precedent-setting nature of this proposal cannot be
 18 ignored. Thank you all for your time and your
 19 concern.

20 SUPERVISOR CARRILLO: Thank you,
 21 Ms. Parker. Dan Viele followed by Linda Hale.

22 DAN VIELE: Hello, I'm Dan Viele. I live
 23 about a quarter mile up the road from the Beldens.
 24 We've been watching this product -- or this project
 25 for a while. And I'm very pleased with the

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1 alternatives I see submitted in this DEIR,
2 especially the ones about safety and quality of
3 life. Most of the people in the neighborhood I live
4 in, there are probably a dozen of us that live on
5 Mountain Meadow Lane and Zachary Lane across Sonoma
6 Mountain Road, really like the basis of this
7 project, the idea that it is sustainable farming;
8 that it wants to bring people up to take a look at
9 how this can be done really well within the
10 environment. We want to see the farming.

11 What I just heard in the last speaker is
12 another alternative, which is considering rather
13 than bringing people up to drink and buy things,
14 bringing them up simply to enjoy the farm, to look
15 at it, to tour the farm. I think that is an
16 excellent alternative that could use a bit more
17 developing and could be incorporated into the Final
18 EIR.

19 Basically I'm simply here to say once
20 again, I don't think this site is appropriate for
21 events or tasting unless they are directly related
22 to the farm. And I think everyone has pretty much
23 covered everything else.

24 These issues have been argued for decades
25 in Napa and Napa has suffered largely because



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1 development has been allowed at this level, this
 2 entertainment level. And I urge you to consider
 3 what has happened there and how we've tried very
 4 hard in Sonoma to keep that from occurring. Thanks.

5 SUPERVISOR CARRILLO: Thank you, Mr. Viele.
 6 Linda Hale followed by Gini Dunlop Dunlap, and this
 7 is the last public speaker card on this matter.

8 LINDA HALE: I'm Linda Hale and I live in
 9 Glen Ellen. And my first question is the -- they've
 10 reduced their events from 12 to eight, but does that
 11 include industrywide events?

12 And we've discovered in the Kenwood area
 13 and in the Sonoma area that people are coming in
 14 from advertisements and public media and the social
 15 media. And they are not going to heed the
 16 mitigation that is listed.

17 And I'll just read it to you because I
 18 thought it was kind of interesting that "the project
 19 applicant would advise all guests to access the site
 20 from the south or west from Santa Rosa or Rohnert
 21 Park and would specifically ask guests not to travel
 22 from Glen Ellen via the eastern portion of Sonoma
 23 Mountain Road."

24 But the problem is these people are
 25 accessing it online. They -- they -- they -- they

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1 do use their GPS and our -- this particular road has
2 no shoulders. It has blind curves, and is very,
3 very narrow most of the way.
4 And I have a picture here of where Belden
5 Barns driveway is going to be accessed and it is
6 right where there's a telephone pole and then right
7 across the way is another telephone pole on a very
8 narrow, narrow road. And this is one that I don't
9 take -- and I've been here in the valley for
10 50 years -- to get to wherever I'm going. I --
11 Sonoma Mountain Road is not the one you want to be
12 on.
13 The second comment we want to make today is
14 about the water usage. We're talking about
15 irrigating gardens, orchards and processing in a
16 creamery on-site. They listed that there would only
17 be two cows, I believe, and then a gentleman
18 clarified that for me that they are going to be
19 trucking in milk for this creamery. But just the
20 processing, quantity of water that is going to be
21 used is enormous. And I agree with the gentleman
22 who said that well testing -- more well testing has
23 to be done.
24 And the impacts, if you look at the
25 reports, the well is in one spot, but the impact to

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1 the aquifer is huge beyond the location of the well.
 2 And so thank you, and those are our comments.
 3 SUPERVISOR CARRILLO: Thank you, Ms. Hale.
 4 Gini Dunlap followed by Tamara Boultonbee.
 5 GINI DUNLAP: Gini Dunlap. I live in
 6 Kenwood, and I'm on the board of the Valley of Moon
 7 Alliance and we support the Friends of Sonoma
 8 Mountain Road and applaud Supervisor Gorin's one
 9 common sense dissenting vote on this project in
 10 2014.
 11 I drove this route this morning from Glen
 12 Ellen past Belden Barns location on Sonoma Mountain
 13 Road to Presley. My husband is a cyclist and he
 14 rides this route about four times a week -- four to
 15 five times a week. And on the route this morning at
 16 8:30 on a Tuesday, there were four cyclists and
 17 three runners on that road pretty much. It was a
 18 few other people that were commuting or going into
 19 town and worker trucks. But if this project were to
 20 be approved, I would fear for his life and request
 21 that he not ride that route.
 22 I think it is a completely inappropriate
 23 location for this project. An off-site tasting
 24 room, and no offense, should be ruled in regard to
 25 this. Thank you.

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1 SUPERVISOR CARRILLO: Thank you. With
2 that, Tamara Boultonbee.
3 TAMARA BOULTBEE: Good afternoon. Thank
4 you. I just wanted to speak with you about a couple
5 things that have not been brought up as far as the
6 deficiencies or error of the Draft EIR. I haven't
7 had time to review all the information entirely, but
8 I will be sending you a letter once I've got that
9 finished.
10 It is nice to see an in-depth analysis, but
11 as I mentioned, there are a couple areas that I
12 think could use greater in-depth study; the traffic
13 study for one thing. The location of the sensors
14 and the counters were located in very concentrated
15 areas, so they couldn't possibly measure the impacts
16 on lower Sonoma Mountain Road or Presley Road in
17 particular since those are the two areas that should
18 be carrying most of the traffic to a proposal like
19 this.
20 Under the noise section, again, there was
21 the counters or the sensors were not placed on
22 anything where there is an incline. And I live on
23 an incline and I can tell you truly, truck traffic
24 will be horrendous and the effect that it will have
25 would be -- would be intolerable.

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1 The other thing that isn't touched upon is
2 with increased traffic what happens to the animals
3 along that area, wildlife and domestic.
4 They -- the other item that with the noise
5 and the traffic would be that the emphasis was on
6 the winery, but not for the other intended uses they
7 are proposing.
8 Another deficiency I noticed is that this
9 area is covered by the Bennett Valley Area Plan and
10 there were references made to general standards like
11 the AASHTO standards and the Caltrans standards
12 instead of using the local rules and standards of
13 the Bennett Valley Area Plan. The Bennett Valley
14 Area Plan covers roadways and the intended
15 long-range uses and values of those. It also has a
16 design review element. And I noticed in the Draft
17 EIR that the general plan and details were given,
18 but not those of the Bennett Valley Area Plan. And
19 I think this is a great deficiency. Thank you.
20 SUPERVISOR CARRILLO: Great. Thank you,
21 Ms. Boulton.
22 All right. This is a public hearing, once
23 again, for comment on Belden Barns Winery and cheese
24 creamery Draft Environmental Impact Report. Are
25 there any other members of the public that wish to

TS-40

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1 address the board on the item before us? Seeing
2 none, I will close the public hearing and bring this
3 item back to the board.
4 I'm going to let the board, for any
5 questions, comments, concerns on the Draft EIR, I
6 will start with the First District Supervisor,
7 Supervisor Susan Gorin, and then go to any other
8 board members that may have comments on this item.
9 SUPERVISOR SUSAN GORIN: Thank you. I will
10 try to avoid duplicating some of the comments
11 already made, but I -- I don't know the standards
12 for the EIR, but I know that if we are proposing
13 events here, there was at least one occasion already
14 that there was a tent. Do we need to do a visual
15 analysis about where an event tent would be located?
16 Secondly, there was a suggestion perhaps
17 made by our TPW Department that we clear some of the
18 vegetation around the road to the entrance to this
19 to increase sight line visibility. I'm not sure
20 whether the -- in fact, I think the visual analysis
21 did not really show the buildings with the
22 vegetation removed. That probably needs to happen.
23 And be a little bit more specific about what that
24 visual analysis would be if, in fact, the extensive
25 vegetation were removed, because it is pretty heavy



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1 along there.

2 There has been some conversation about the

3 noise. That is -- it is hard for us to really

4 understand decibel levels and what that really

5 sounds like in the adjoining property and I -- so I

6 appreciate that.

7 There was a suggestion here that there

8 would be no amplified music, but would there be

9 amplified sound from a microphone for announcers or

10 at events. That was not clear in the DEIR.

11 Transportation, the -- there was, first of

12 all, some discrepancy in the language and the

13 introduction to transportation. They described it

14 as Sonoma Mountain Road as a two-lane road, but then

15 they went on and talked about the various sections;

16 that the road width was significantly less than a --

17 than a two-lane road. It might be helpful for the

18 board to understand what percentage of the road is a

19 two-lane road, what percentage is actually getting

20 down to about 10 feet and probably less than that.

21 There's some hairpin turns along there. So I think

22 the language needs to be clarified.

23 They really talked about the level of

24 service. I think there was a comment that the level

25 of service would not be relevant here because the

↑ TS-43
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1 level of service is so low, but what the DEIR does
2 not talk about is the pavement condition index. I
3 don't know whether it needs to, but the conditions
4 on Sonoma Mountain Road is pretty -- pretty
5 challenged, I would say. And there was some
6 language in there about blind curves, hairpin turns,
7 but there really are no visuals in there about what
8 that means unless you've actually been on it, which
9 I have.

10 There was no description about the road
11 give aways, even on the newly paved section of
12 Sonoma Mountain Road where it had been a two-lane
13 road and now it is maybe a lane and a quarter. And
14 I -- I don't know whether there are sufficient
15 mitigations to deal with that. Actually, there are
16 no mitigations proposed in here that I could find to
17 deal with any of the pavement conditions, road
18 widths, signage. It really is just a description of
19 what the advisory signage is. I've driven it
20 multiple times and I would be really challenged to
21 drive it at 40 miles per hour as was written in the
22 DEIR. Maybe you could be safe at 20 miles per hour.
23 And so that needs to be of a better description and
24 mitigations proposed.

25 There were inadequate discussion about the

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1 vehicle trips associated with events. Visitors were
2 talked about, but any of the ancillary kind of
3 transportation for any of the events or wine
4 tasting, food pairings, caterers, tent rentals,
5 anything else associated with those, there was not a
6 description of that.

7 And I think there had been some comments
8 regarding water, but it is still unclear as to
9 whether the hospitality and the events will kind of
10 demand -- additional demand that would be, I would
11 assume, minimal, but I'm not sure how to quantify
12 that.

13 So those are my comments that I would like
14 to see some more information on when this comes
15 back. Thank you.

16 SUPERVISOR CARRILLO: All right. Thank
17 you. Any additional questions or comments from the
18 board at this time? Supervisor Rabbitt.

19 SUPERVISOR RABBITT: Great. Thank you very
20 much. I appreciate the presentation and taking the
21 time and for everyone's comments.

22 I do want to follow up, and I know that it
23 was already said, so I won't necessarily repeat, but
24 in terms of the alternative of the off-site tasting
25 with the shuttle, I'm not sure, because it seemed

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1 like it was -- if it is offsite, there is the
2 elimination of the hospitality and I'm not sure if
3 the two go hand in hand that way. Especially if you
4 are limiting the number of trips up the hill by
5 having a shuttle, you could still have a hospitality
6 area, but you'd have that many fewer car trips. So
7 I just want to make sure I understand the
8 alternative that was studied and if that was one of
9 them.

10 SANDI POTTER: So just to try to clarify,
11 the off-site tasting room alternative like you
12 indicated would mean that the project would not
13 construct the hospitality facility at the site.
14 However, the description of the alternative
15 indicates that there could be a capacity for tours
16 at the site and that if the eight events would
17 continue to occur there. So I don't know that we
18 had looked at it as an alternative that could
19 include a shuttle in an organized, you know,
20 creative subalternative, but it doesn't seem like,
21 from what I understand of the alternative, that --
22 it sounds like there's flexibility to consider the
23 comments that were made here today.

24 SUPERVISOR RABBITT: I appreciate that and
25 I think that might be well worth looking into, get

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1 into the specifics of the importance of getting on
2 the site, but obviously wanting to limit the number
3 of cars on a road that is not ideal.
4 Some of the noise issues, I know that one
5 of the other things I heard, too, was the kind of
6 the bowl effect or the -- which I think can vary by
7 weather condition, even season, and how we actually
8 look at that to really understand the impact on
9 those neighbors. The outdoor chiller and I know
10 there's a sound wall and some other mitigations in
11 place, but the other alternatives can further reduce
12 that, including location for property line, adjacent
13 dwellings, whatever else can happen on that
14 particular piece. I would appreciate that as well.
15 And then certainly, as was said earlier,
16 the well impacts, the true -- trying to truly
17 understand the impacts for those particular
18 neighbors that are going to be affected by any
19 potential drawdown going forward. And how the
20 county actually looks at -- are there conditions or
21 restrictions in place on the pump size as opposed to
22 the capacity of the well going forward. So thank
23 you. Appreciate that.
24 SUPERVISOR CARRILLO: Supervisor Zane.
25 SUPERVISOR ZANE: So, again, just some

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1 clarification from the staff that this is a Draft
2 EIR for comments today and that I am reading that
3 all of these impacts could be reduced to less than
4 significant, but with mitigation measures that
5 haven't necessarily yet to take place. I was
6 especially interested in the endangered species. Is
7 that correct?

8 SANDI POTTER: Yes. Based on the analysis
9 contained in the technical studies and then
10 summarized in the environmental impact report, the
11 impacts identified can be mitigated below a level of
12 significance with implementation of the mitigation
13 measures that would be included in the conditions of
14 approval and also tracked in the mitigation
15 monitoring program.

16 SUPERVISOR ZANE: And then just a
17 question -- and maybe I missed it in the EIR -- but
18 isn't Sonoma Mountain Road slated in terms of it
19 being one of our roads that we're going to be
20 improving in the next two seasons of road
21 improvements.

22 SANDI POTTER: No.

23 SUPERVISOR ZANE: It is not. Okay. And
24 how many people live on it right now? I mean, I
25 rode my bike on it quite a few times, too, but it

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1 doesn't seem like it is very -- it seems like it is
2 pretty sparsely populated.

3 SANDI POTTER: It is definitely low
4 density, rural residential and agriculture uses.

5 SUPERVISOR ZANE: Okay. Residents and
6 agriculture all living in happy harmony.

7 SANDI POTTER: You got it.

8 SUPERVISOR ZANE: It is Sonoma County.
9 Amen. Thank you.

10 SUPERVISOR CARRILLO: Thank you. I'm
11 seeing James Gore.

12 JAMES GORE: Yeah. Thank you, very much.
13 I met with both sides and also, you know, reviewed
14 the -- reviewed the document in detail and -- and I
15 guess, you know, one of the things that keeps coming
16 up is there's a lot of discussion about water use,
17 different wells, other things like that. Can you
18 give us an idea of -- I mean, there was some
19 neighbors who said they didn't get their wells
20 tested. There was other neighbors who said they
21 refused to have their wells tested by the EIR
22 report. Can you tell me a little bit about the
23 water usage? I was also told by the applicant that
24 the -- that the water usage of the winery itself,
25 the processing facility would be the equivalent of a

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1 four- to five-bedroom house, which is what I found
2 similar in other areas. I mean, the real usage of
3 water on these locations is vineyards. It is not --
4 it is not wineries, you know, sucking water out of
5 the ground and putting it into bottles and shipping
6 it out. So can you give me a little idea about the
7 water analysis from your side.

8 SANDI POTTER: I guess I would like to
9 start with providing a couple of quantifications
10 that are presented in the EIR. The total parcel
11 water use with the existing uses in the proposal
12 would be 2.5 acre feet per year about. Currently
13 they are using 1.76 acre feet. And with the
14 addition of the tasting room and the additional
15 livestock and landscape that would add another
16 1.77 acre feet per year. So a typical single family
17 dwelling is running about 1.5 acre feet per year.
18 So I think that your estimate is in the right
19 ballpark.

20 And then I wanted to address your question
21 about how we conducted the groundwater assessment.
22 The consultant, a professional geologist and a
23 certified engineering geologist, did a survey of
24 wells nearby and they obtained the well logs from
25 the department of water resources and contacted the

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1 neighboring property owners to gain access to the
2 wells. And as you indicated, some were willing to
3 allow their wells to be monitored in participation
4 of the well testing, and others weren't. And
5 there's always limitations on the type of the well,
6 the depth of the well and the screening intervals,
7 but they were able to conduct the pump test and to
8 obtain enough accurate sight-specific information to
9 assess the impacts of the additional project demand
10 using an existing well that is already in use at
11 Belden Barnes property.

12 And furthermore, I think it was determined
13 that there are many reasons why a well could have a
14 reduced water consumption. And some of those are
15 related to uses in the neighboring area and others
16 are related to the condition of the well itself.
17 And so when we do a study such as this, it is not
18 possible for us to know all of the parameters that
19 are happening with all the neighbors' wells, but
20 there's a considerable amount of data, original
21 data, that was collected for this analysis and
22 contained in the appendices under the groundwater
23 study and that informed the Draft EIR analysis.

24 Certainly after hearing the comments today,
25 we'll go back and look at the assumptions, the

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1 studies, and we're open to talking further with
2 property owners who have more information that could
3 inform a refinement of the assessment.

4 SUPERVISOR GORE: Thank you very much. I
5 think that is -- that is helpful.

6 How much does an EIR cost at this level?

7 SUPERVISOR CARRILLO: About a quarter of a
8 million.

9 SUPERVISOR RABBITT: Yep.

10 SANDI POTTER: It varies quite a bit, but I
11 would say yes, quarter of a million dollars is a
12 ballpark for this level of effort.

13 SUPERVISOR GORE: And it is interesting to
14 see the EI -- the draft -- the DEIR conclusions are
15 really -- doesn't look like very different at all
16 from the initial findings under the mitigated
17 negative declaration.

18 SANDI POTTER: Although we collected a lot
19 more information, the conclusions remain very
20 similar.

21 SUPERVISOR GORE: Thank you.

22 SUPERVISOR CARRILLO: Supervisor Gorin.

23 SUPERVISOR GORIN: I appreciate all of the
24 board's questions. I have one more suggestion, that
25 we evaluate the alternative if in fact we do approve

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TS-54

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1 the project and especially approve events. I had
 2 mentioned previously the possibility of shuttling
 3 visitors up there for those events and I would like
 4 to have that evaluated and perhaps having event
 5 hours culminate significantly earlier to avoid
 6 driving in the dark.

7 And just a note of comment, shockingly, for
 8 me, Sonoma Mountain Road and Bennett Valley Road
 9 have become pretty heavily traveled, whatever
 10 heavily means, commute roads from Sonoma valley to
 11 Santa Rosa and to -- over the mountain, Crane
 12 Canyon, Presley to down into the Santa Rosa plain.
 13 So there's a fair amount of traffic. It is not just
 14 the residents and the agricultural workers accessing
 15 the vineyards up there. It really is some -- some
 16 significant commute patterns. Not the route I would
 17 choose, but people do.

18 SUPERVISOR CARRILLO: Great. Thank you.
 19 Sandi.

20 SANDI POTTER: Just for clarification, when
 21 you indicate an earlier end time for events, could
 22 you give us a ballpark what you are thinking.

23 SUPERVISOR CARRILLO: So this is in the
 24 context of the --

25 SANDI POTTER: Development alternative.

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1 SUPERVISOR CARRILLO: Of the EIR
2 alternative, right.

3 SANDI POTTER: Yeah, 7, 7:30, something
4 like that. Thank you.

5 SUPERVISOR CARRILLO: So this is a public
6 hearing on the Draft EIR. For those that are just
7 joining us this afternoon, this is an opportunity
8 for the board to receive oral comment as part of the
9 hearing.

10 Another note, another reminder for the
11 members of the public that couldn't finish their
12 comments in the time allotted, three minutes this
13 afternoon, we -- staff will be allowing comment
14 period in writing through August 1st of 2016. And
15 it is the intent, once a Final EIR has been
16 published, that we would have a hearing, another
17 public hearing, before this board that considers the
18 Final EIR as well as the project on its merits and
19 any conditions in September of this year. And I
20 believe that we would be looking at a specific date
21 as identified in the staff report here.

22 So with that, there is no actionable item
23 for this board. The intent was to hear from the
24 public, oral comment and Draft EIR. We opened and
25 we closed the public hearing, so I will not be

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1 looking to the board for any vote on this matter.
2 Once again, I will thank Melinda, Sandi,
3 Verne and Tennis for the work this afternoon. I
4 think you got good feedback from the board and
5 certainly heard from members of the public. And
6 once again, thank you to the members of the public
7 that were here on this item.
8 We will move to the next item, but before
9 we do that, we do have item 38, that is community
10 separated protection ordinance. We're going to take
11 a five-minute break and allow staff to set up for
12 that particular item and we'll be back in 5 minutes.
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Comments Received at the Hearing on the Project, July 19, 2016

TS-1 The comment expresses an opinion that the Draft EIR is deficient in meeting the requirements of the Williamson Act and there is not enough evidence to show that mitigation will meet requirements to ensure the project is not detrimental to health, safety, peace, comfort and general welfare.

The project's impacts related to agricultural resources, including compliance with the Williamson Act were evaluated in the prior Mitigated Negative Declaration/Initial Study (MND/IS) and summarized in Section 3.1 of the Draft EIR. As discussed on page 3.1-3, the prior MND/IS concluded that the total 1.53-acres of additional developed land would be well within the maximum allowable under the Williamson Act contract and in addition, the proposed agricultural events would also comply with requirements of the contract. Since the MND/IS was prepared the project has changed slightly and would result in a total of 1.9 acres of developed uses. The reader is referred to Master Response LU-1 and Response to Comment A-4 for more information.

TS-2 The comment expresses concern for the safety issues on Sonoma Mountain Road. Please refer to Master Response TRAFF-1 for information pertaining to traffic and safety along Sonoma Mountain Road.

TS-3 The comment expresses an opinion that the project objectives were created to maximize potential income of the project property and transfer impacts to adjacent property owners and supports the Off-Site Tasting Room Alternative. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

TS-4 The comment asserts that telling people not to come from the east for safety reasons would not be practical. Please refer to Master Response TRAFF-1 and Response to Comment C-13, which raises similar concerns regarding the suggestion that people arrive from specific directions.

TS-5 The comment expresses an opinion that the mitigation measures related to safety are inadequate. Please refer to the Response to Comment C-13 above related to the request to travel from specific directions. Additional information pertaining to safety concerns is presented in Master Response TRAFF-1.

- TS-6** The comment expresses concern relating to the 45 dB residential internal noise standard. Please refer to Master Response NOI-1 for information relating to the noise impacts associated with the proposed project.
- TS-7** The comment suggests that approval of the project, where no such development currently exists, would create significant problems to the environment, including traffic safety in addition to establishing a precedent for winery owners seeking permission for similar developments.
- Please see Master Response TRAFF-1 for more information on traffic safety. In regards to establishing a precedent for future vineyard owners, that is considered speculative at this time. The County will review future applications for winery projects as they are received. Please see also Response to Comment C-19.
- TS-8** The comment claims that Sonoma Mountain Road poses many traffic and safety issues for visitors and guests, especially after consuming alcohol. Please refer to Master Response TRAFF-1 for information related to safety concerns along Sonoma Mountain Road.
- TS-9** The comment suggests that while a 6% increase many not pose a problem with congestion, it would definitely be a noticeable increase and should be recognized as significant. Please refer to Master Response TRAFF-1 for information regarding potential traffic impacts of the proposed project.
- TS-10** The comment states that there are no pedestrian and bicycle facilities on Sonoma Mountain Road. Please refer to Response to Comment I-13, which raised similar concerns regarding the lack of facilities and potential safety issues and Master Response TRAFF-1.
- TS-11** The comment expresses opposition for locating the project along Sonoma Mountain Road due to continuous road problems and unsafe conditions. Please refer to Master Response TRAFF-1 for information pertaining to safety concerns along Sonoma Mountain Road.
- TS-12** The comment claims that while the Draft EIR traffic data demonstrates a majority of vehicles approach from the east, it then assumes that 75% of traffic would come from the west. This comment also claims that the proposed mitigation of discouraging visitors to travel from the east is not enforceable. Please refer to the Response to Comment C-13 regarding the proposed mitigation. Additional information regarding traffic impacts is provided in Master Response TRAFF-1.

- TS-13** The comment asserts that the proposed vegetation removal along Sonoma Mountain Road would be right in front of the commenter's property which serves to mitigate sound and visual impacts of the roadway. Please refer to the Response to Comment I-1 regarding the proposed vegetation removal.
- TS-14** The comment asserts that the Draft EIR should include a noise analysis for the Sonoma Mountain Regional Park in the areas where the visual impact analysis was conducted. Please refer to Master Response NOI-1 for information pertaining the project's noise analysis and potential noise impacts.
- TS-15** The comment claims that while the Draft EIR states all development would be in the existing footprint, the new agricultural employee housing would be located over 200 feet closer where no buildings are currently developed. Please refer to Response to Comment N-7, which raised similar concerns regarding the placement of the agricultural employee housing.
- TS-16** The comment alleges that the project is building housing for seven yet claims that the population residing on-site would not change. Please refer to Response to Comment N-10, which raised similar concerns regarding the on-site population.
- TS-17** The comment asserts that the mountain amphitheater effect is not factored into the noise analysis. Please refer to Master Response NOI-1 for information about the noise study conducted for the proposed project.
- TS-18** The comment claims that the Draft EIR does not analyze Rogers Fault, which is the most significant fault in the project area. Please refer to the Response to Comment N-28, which raises the same concern about the analysis of Rogers Fault.
- TS-19** The comment expresses concern with placing the project on a failed road that is challenging to navigate, especially after wine tasting, and claims that Draft EIR makes no evaluation of these concerns. Please refer to Master Response TRAFF-1 for information regarding safety of Sonoma Mountain Road.
- TS-20** The comment alleges that the commenter's well was not tested and instead an abandoned well was tested. The commenter's well is the closest to the project site and the commenter prefers to rely on hard data rather than the estimates made in the Draft EIR. Please refer to Response to Comment N-16 and Master Response GWA-1 for information pertaining to the adequacy of the project's groundwater study.
- TS-21** The comment summarizes part of the 24-hour well testing and asserts that the Draft EIR relies on projections and surmises rather than hard data to draw conclusions.

Please refer to Master Response GWA-1 for information pertaining to the adequacy of the project's groundwater study.

TS-22 The comment states that the Draft EIR acknowledges the 2003 Kleinfelder study which found declining groundwater levels in the area due to groundwater well pumping.

The commenter is correct, the Draft EIR notes on page 3.7-7 that "[T]he *Pilot Study of Groundwater Conditions in the Joy Road, Mark West Springs, and Bennett Valley Areas* prepared by Kleinfelder (2003) examined precipitation, water level, well construction, and land use trends in the Bennett Valley and found evidence of declining groundwater levels over time, though not nearly at the same rate of increase of population growth in the area. Development pressures and associated groundwater well pumping was considered to be the primary factor driving this trend, as precipitation trends had been relatively flat over time."

TS-23 The comment provides background on other neighbor's attempts to pump water at various rates for 24 hours and states that there is no guarantee the applicant can maintain their water use and there is no evidence of how this might affect the surrounding area. Please refer to Master Response GWA-1 for information pertaining to the adequacy of the project's groundwater study.

TS-24 The comment requests that the calculation of the use of water, especially in the area of the creamery operation, be more clearly explained. Please refer to Master Response GWA-1 and WW-1 for more information.

TS-25 The comment claims that the Draft EIR does not acknowledge the need to truck in milk and grapes and does not specify how many trucks that would take and how much traffic would be added to the roads. Please refer to the Response to Comment R-10, which raises similar concerns regarding additional truck trips for importing goods.

TS-26 The comment asserts that the Draft EIR does not contain an earthquake hazard assessment. The Draft EIR, pages 3.5-3 and 3.5-4 provides information disclosing the seismic hazard on the project site, included the level of ground shaking that can be reasonably anticipated based on the probabilistic seismic hazard assessment for the State of California. Further responses regarding earthquake and landslide hazards can be found in the responses to Letter H and Letter J.

TS-27 The comment claims that the project site is located in an area of moderately high hazard for earthquake shaking and in an area at risk for landslides.

- The Draft EIR includes a background discussion of the two previous landslides mapped on the project site on pages 3.5-4 and 3.5-12, the project's risk of landslides is evaluated. The Draft EIR concluded that since the proposed facilities would be located far enough away from the landslide mass and a design-level geotechnical investigation of the site in compliance with the California Building Code would be required to address slope related instabilities, this impact would be less than significant. Please refer to the Response to Comments H8 through H10 and J6, and J7 for additional information regarding earthquake hazards and the risk for landslides.
- TS-28** The comment claims that the Draft EIR only uses a calculation that has been used for predicting the potential frequency of earthquakes on any particular fault but has not been successful in predicating any of the big earthquakes over the last 37 years. Please refer to Response to Comment TS-26.
- TS-29** The comment states that the Draft EIR should include an assessment of the potential earthquake shaking along Rogers Creek Fault. Please refer to the Response to Comment N-28, which raises similar concerns about potential shaking along Rogers Creek Fault.
- TS-30** The comment gives a proposal for an alternate type of off-site tasting where customers could taste off-site, be shuttled to the site to taste cheese and farmstead products and receive tours of the property, then be shuttled back to the tasting room for additional wine tastings and sales.
- The County has occasionally imposed shuttle requirements for wineries, but only for individual large events where there was insufficient on-site parking. The proposed alternative does not address any significant impacts. The project comports with existing zoning and planning requirements, and a partial off-site alternative is not required by CEQA. Please see also Response to Comment E-7.
- TS-31** The comment expresses support for the alternative proposed in comment TS-30. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- TS-32** The comment expresses an opinion that the site isn't appropriate for events and tastings and urges the Board of Supervisors to consider the problems that occurred in Napa from allowing entertainment to be included. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.

- TS-33** The comment asks if the reduction in onsite events also includes industrywide events. It is not clear what the commenter means by industry wide events, but as discussed on page 2-5 of the Draft EIR, the project would include a total of eight agricultural promotional events per year ranging from 20 to 200 participants.
- TS-34** The comment raises concerns about the statement that the applicant would request people not to travel from Glen Ellen via the eastern portion of Sonoma Mountain Road. Please refer to Response to Comment C-13 and Master Response TRAFF-1.
- TS-35** The comment expresses concern over the amount of water that would be required for the project and expresses support for the commenter who stated additional well testing should be done. Please refer to Master Response GWA-1 for information pertaining to the groundwater study completed for the proposed project.
- TS-36** This comment claims that the impacts on the aquifer are huge beyond the location of just the well. Please refer to Master Response GWA-1 for information pertaining to the groundwater study completed for the proposed project.
- TS-37** The comment expresses an opinion that this is a totally inappropriate location for the project and expresses support for the Off-Site Tasting Room Alternative. The comment does not address the adequacy of the Draft EIR; therefore, no response is required. However, the comment is noted and forwarded to the Board of Supervisors for their consideration in making a determination whether to approve the project.
- TS-38** The comment states an opinion that the traffic study could be more in depth and that the location of the sensors was not accurate to measure impacts to lower Sonoma Mountain Road or Pressley Road. Please refer to Master Response TRAFF-1 for information related to the traffic study and potential traffic impacts of the proposed project.
- TS-39** The comment asserts that no noise measurements were taken where there is an incline and expresses an opinion that the truck traffic noise would be horrendous for those living on inclines above the project site. Please refer to Master Response NOI-1 for additional information regarding the noise study conducted for the proposed project.
- TS-40** The comment claims that there was no evaluation of how increased traffic would impact animals in the area, both wildlife and domestic. Please see Responses to Comments I-4, N-12, Q-17 and R-6.
- TS-41** The comment asserts that there is a deficiency in the Draft EIR related to the use of local standards and rules of the Bennett Valley Area Plan. Please refer to Master

Response LU-1 for additional information related to the policies and standards of the Bennett Valley Area Plan.

TS-42 The comment questions if a visual analysis of where a tent would be located during events is necessary for the proposed project. There is no requirement that a visual analysis be conducted for the temporary use of tents on the project site during some events. Tents would not be permanently erected as part of the project and may only be used intermittently during a few months of the year.

TS-43 The comment questions if the visual simulations showed the buildings with the proposed vegetation removal and suggests that this should be done and more specifics should be included about what the visual analysis would be if extensive vegetation were removed.

As noted on page 3.2-1 of the Draft EIR, viewpoints from which to assess the potential aesthetic impacts of the proposed project were identified by the Sonoma County Permit and Resource Management Department staff. Photo-simulations of the proposed project were prepared from each of the identified viewpoints to illustrate the visual change anticipated to occur as a result of project development. The visual analysis included a visual simulation that shows the main entrance to the project site as it exists now and with vegetation removed (see Figure 3.2-2).

TS-44 The comment states that the Draft EIR was not clear if there would be amplified sound from a microphone or announcers at events. Please refer to Master Response NOI-1.

TS-45 This comment suggests that the Draft EIR clarify what percentage of Sonoma Mountain Road is a two-lane road and what percentage is actually about 10 feet or less. Please refer to Master Response TRAFF-1 for more details on Sonoma Mountain Road.

TS-46 The comment asserts that the Draft EIR does not talk about the pavement condition index. Under Impact TRA-2 on page 3.9-25 potential pavement deterioration and the Traffic Index analysis is discussed. On page 3.9-27, the Draft EIR discusses what a traffic index is and lists the existing and existing plus project conditions for traffic indexes along Sonoma Mountain Road in Table 3.9-14 on page 3.9-27. Additional information on the traffic study conducted for the proposed project is presented in Master Response TRAFF-1.

TS-47 The comment alleges that there are no mitigation measures in the Draft EIR which deal with pavement conditions, road widths, and signage. Please refer to Master

Response TRAFF-1 for additional information regarding potential traffic impacts resulting from the proposed project.

TS-48 The comment suggests that a person could be safe driving Sonoma Mountain Road at 20 miles per hour, not the 40 miles per hour suggested in the Draft EIR. Please refer to Master Response TRAFF-1 for additional information regarding potential traffic impacts resulting from the proposed project.

TS-49 The comment claims the Draft EIR did not adequately discuss vehicle trips associated with events such as ancillary transportation for caterers, tent rentals, or anything else associated with wine tastings and events.

As explained in Table 3.9-6 on page 3.9-17 of the Draft EIR, the project is expected to generate an average of three truck trips associated with the Special Events (Scenario 2). These truck trips include catering trucks, tent trucks and any special event delivery trucks that would occur on the day of the event. Though most of the truck trips occur the day before the special event is planned, for conservative analysis three trucks trips were assumed to occur on the day of the special event.

Table 3.9-6 further indicates that the project trip generation forecast during special events is based on an estimate of approximately 16 employees during each special event. These 16 special event employees would include caterers and other event related workers.

TS-50 The comment suggests that any kind of additional water demand generated by events and hospitality should be quantified. Please refer to Master Response GWA-1 for information regarding the groundwater assessment completed for the proposed project.

TS-51 The comment suggests examining an alternative that uses shuttles to get people up to the site while limiting the number of cars on the road by locating the tasting room off-site. Please refer to the Response to Comment E-7 which addresses the potential for an alternative that utilizes shuttles.

TS-52 The comment raises noise concerns and expresses an opinion that project alternatives could further reduce noise. Please refer to Master Response NOI-1 for information pertaining to the noise analysis for the project and potential noise impacts.

TS-53 The comment questions if there are conditions or restrictions in place on pump size and expresses the opinion that it is important to try and understand the effects of the project on neighboring wells. Please refer to Master Response GWA-1 for information about the groundwater assessment prepared for the proposed project.

- TS-54** The comment suggests that an alternative be examined that shuttles visitors up to the project site for special events and having event hours culminate earlier to avoid driving in the dark. Please refer to Response to Comment E-7 which addresses the potential for an alternative to utilize shuttles.

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